

# MY VARIED LIFE

F. C. PHILIPS

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# MY VARIED LIFE







*J. C. Phillips.*

# MY VARIED LIFE

BY F. C. PHILIPS

AUTHOR OF "AS IN A LOOKING GLASS" ETC

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TO  
COLONEL GEORGE PHILIPS  
LATE 4TH (QUEEN'S OWN) HUSSARS

THIS BOOK IS DEDICATED BY HIS  
AFFECTIONATE BROTHER

F. C. PHILIPS

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I WAS born at Brighton in 1849 and came from a military family. One of my uncles was Colonel of the Coldstream Guards during a portion of the Peninsular War, and served during the entire campaign. Another was a captain in the same regiment. My eldest brother was a captain in the Royal Horse Guards, my second brother was Colonel of the 4th Hussars, and afterwards Adjutant-General to Lord Wolseley in Dublin, and the third was Colonel of the Bombay Lancers.

I have an intimate and direct connexion with a period so remote as the eighteenth century. My father, the Rev. George Washington Edwardes Philips, was born in 1780, when his parents were visiting America, and he had for his godfathers, General George Washington, the first President of the United States, and General Edwardes. I recollect a life-size picture of Washington which

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hung in the dining-room of my father's town house at Portland Place. On his death it was sold to the American Government and it is, I believe, in the White House. My father was a very remarkable man, with great religious zeal combined with a certain love of adventure that sent him into corners of the earth in search of an outlet for his missionary zeal. His autobiography was published in 1895, many years after his death, and refers to his travels in America and several other places. He was a man of very strong character, of great ability, but absolutely free from worldly ambition. That this was the case may be judged from the fact that he refused a bishopric offered to him by the then Prime Minister, Lord Derby. A neighbour of ours in Cambridgeshire, Lord Hardwicke, a great friend of my father and a member at that time of Lord Derby's Cabinet, took the latter to hear my father preach. Lord Derby was so struck with his eloquence that he very shortly afterwards made him the offer to which I have referred. My father, although at one time himself a slave-owner in St. Kitts, was an intimate friend of Wilberforce and worked hard for emancipation. His remarks on New York, written in 1817, and published in his autobiography, will, I think, be of interest to those on this side of the Atlantic, and also to our cousins on the other side.

"New York, like ancient Tyre," he writes, "rises amidst the water, and presents a very magnificent spectacle as it stands surrounded with a forest of

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masts. It is built on an island formed by the Hudson River and the East River. The basin of the harbour, which is several miles in extent, is navigable for line-of-battleships, and sheltered by Long Island. Several small islands upon which fortifications have been erected add greatly to the beauty of the prospect. The number of vessels of all descriptions which are continually sailing in and out of the harbour; the variety of steamboats employed in the intercourse between the town and the different islands; with the diversified and picturesque scenery which their shores present, form altogether a view unrivalled for its extent, variety, and animation. The town itself is not so regularly built as Philadelphia, because the nature of the ground does not permit it; nevertheless, it exhibits considerable elegance in its structure. The population is about one hundred and twenty thousand persons. The excellence of its harbour, the great facility of inland communication, by means of the Hudson River, the Mohock, and other navigable streams, added to the fertility and the extent of the country through which they flow, will, with the increasing population, and produce of that country, render this one of the greatest commercial cities in America."

Speaking of his experiences in the West Indies with regard to slavery, my father says: "I satisfactorily demonstrated that a mild and equitable treatment is incalculably beneficial to the master, no less than to the servant. After entirely abolishing

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all harsh measures and having recourse to rewards for the encouragement of industry and subordination, I succeeded in procuring the largest return that had been obtained for several years ; in establishing an unprecedented degree of discipline and orderly conduct ; and lastly, in increasing a healthy population. And so much satisfied were the negroes with their situation that when I informed them it was possible I should be obliged to sell the property because the debts had accumulated they offered to forego the usual allowance, that it might be appropriated to the payment of these, provided I would remain with them.

“The circumstance which led to the discharge of my manager, as it was connected with an event of a most awful nature, which occurred at this time, served to prove the tendency of slavery to produce a want of humane feeling in the mind. The manager of a neighbouring estate had exhibited a most wanton cruelty in the punishments inflicted by him upon the negroes, and this generally whilst in a state of intoxication himself. His conduct had several times been represented to me as very exceptionable, and upon one occasion he had, under the influence of liquor, disturbed the negroes who had assembled for their devotions at the cottage : in consequence of which I was obliged to threaten a prosecution.

“Some time after this Mr. Johnson, the person who superintended my property, informed me that

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Mr. Charles F. was considerably perplexed owing to the death of a negro, who had destroyed himself by jumping into a boiling copper. I clearly perceived, from the prevarication accompanying the narrative, that some occurrence of a serious nature had taken place. Before two days had elapsed my suspicions were confirmed, and details of such horror were given that I consequently sent off a letter to the President, desiring that an investigation might immediately be instituted. The terms of my application did not admit of a refusal, and the result was the disclosure of dreadful and atrocious cruelty on the part of Mr. F., insomuch that he was indicted for murder and removed to jail.

“The facts elicited on the trial appeared to be the following : Mr. F. went into the boiling-house late in the evening and, in consequence of some defect in the sugar, ordered the principal boilerman to be punished. After vainly interceding for mercy, finding him implacable and knowing the unfeeling severity of his punishments when intoxicated (which he was at the time), the man in a fit of despair jumped into a copper which had just been filled with liquor. It is possible he was not aware of its heat, which, however, was not sufficient to produce an immediate death, and he succeeded in getting out again, most dreadfully scalded. When Mr. F. perceived the unhappy negro had thus eluded his vengeance he ordered him to be confined in the dungeon till the morning. Writhing in excruciating torture, this

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miserable victim of fiendlike cruelty was compelled to crawl upon his hands and knees to the door, and it was reported (but I confess such diabolical malice appears incredible) that he commanded cowitch to be thrown upon him whilst in this state, the effect of which would be like caustic applied to a sore. The dying negro—for such he proved—pleaded with piercing cries for mercy, and entreated that something might be done to allay the dreadful agony he endured. Mr. F. disbelieved, or affected to do so, that he suffered any injury from the liquor, and ordered the door of the dungeon to be closed. He retired to sleep off the fumes of intoxication. This was about ten o'clock at night, and whilst this unfeeling monster was buried in deep slumbers his unhappy victim, with groans and shrieks and tears, was imploring a drop of water to quench his burning thirst. Four hours he continued his cries, till nature, exhausted with suffering, sank under its pressure, and about two o'clock he was released from his misery by death. With a view of marking the negro for having committed suicide, as he pretended, he ordered the body to be buried in a cross road upon the estate. Such were the circumstances attending this deed of darkness and horror. It is to be observed that a few days previous to the event he had inflicted two hundred lashes upon a female who was suckling a young child. It was doubtless the dread of a similar punishment which rendered the wretched negro



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desperate. These are the fruits of slavery, and if such practice is rare, one such fact is sufficient to brand the principle with eternal infamy, and to stigmatize it as opposed to the rights of man, the dictates of humanity, and the precepts of the Christian religion. The intimate friendship subsisting between Mr. F. and Mr. Johnson was a sufficient reason for discharging the latter after such an event. Mr. F. was acquitted of the murder, but sentenced to three months' imprisonment, a fine of £300, and to leave the island."

When my father left St. Kitts, giving up the estate to a younger brother, he went to Oxford, and shortly afterwards took Holy Orders. He was thirty-eight years Vicar of Wendy, in Cambridgeshire. His stipend was £200 a year, and as this was the sum that he gave to his curate, and as he never took a fee in connexion with a birth, a funeral, or a marriage, he certainly could not be said to have made a business of religion.

My mother was a daughter of Mr. Thomas Jesson, of Hill Park, Sevenoaks, Kent, and was possessed of a large fortune. She was one of the most charitable women that I have ever known, and her chief thought was to do good to others. I was singularly fortunate in possessing such parents.

My uncle, Colonel James Philips, of the Coldstream Guards, and his brother, Captain Charles Philips, at the commencement of the last century, being on leave from their regiment, went to Rome.

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They there saw Cardinal York, the brother of Prince Charles Edward, and himself the so-called last of the Stuarts. They told him there were several members of their family who had been executed by the Duke of Cumberland in 1745 for fighting for his brother. The old man gave them a miniature of his brother and two large medals, one silver and the other bronze, bearing the inscription: "Henry the Ninth, King of Great Britain, France and Ireland, by the will of God but not by the will of men." On the box containing the medals was written in the Cardinal's handwriting: "Given by Cardinal York, last of the Stuarts (royal line) to Col. J. Philips and Captain B. C. Philips, Coldstream Guards. Rome, 1802."

I was to have gone to Eton, but being rather delicate it was decided to send me to Brighton College, and I was there for six years. I had a very happy time, and was more or less successful, taking several prizes, chiefly for Classics and Divinity, and I also took the prize poem.

Though having a very indifferent memory as to things that have happened recently, I have a singularly tenacious one with regard to things in the past. I went to Brighton College in August 1860, and was placed in the second form. Mr. Latham, the Master of that form, used to call out the names of the boys every morning when they reached the class room. At the present time, more than fifty-three years ago, I can recollect all their

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names as they were called out in alphabetical order.

I wonder how many of those youthful friends of mine are now alive?

My father was a friend of the younger Pitt, who was Prime Minister and Chancellor of the Exchequer at the age of about twenty-three. Pitt told him the following story. On his attaining this distinguished position he was invited down to Oxford by the Vice-Chancellor. All the big wigs, the Dean of Christ Church, the Warden of All Soul's, the Master of Balliol, and the rest of them, were anxious to preach the University sermon on this occasion. The Vice-Chancellor very wisely decided that if he picked out any of these gentlemen for the duty in question he would be making many enemies. He therefore made up his mind that whoever would have preached the sermon under ordinary circumstances should do so now. William Pitt at this time was a very young looking man, his features suggesting that he was about eighteen. Naturally, the reason why all the great men at the University were anxious to preach before the Prime Minister was that they might obtain clerical preferment, and capture a Deanery, or a Bishopric, or some such enviable berth. The unknown man who officiated on this occasion saw his chance and took it. Getting into the pulpit he gave out his text, "There is a young man amongst you who has five barley loaves, and two small fishes, but what are they amongst so many"! Pitt told my

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father that he was immensely tickled with this, and in six or seven weeks appointed the gentleman in question to a Deanery. And I believe he got further preferment.

One of my earliest recollections is that of being taken to the Chapel Royal to witness the marriage of Prince Frederick of Prussia,—afterwards the Emperor of Germany—with Queen Victoria's eldest daughter, the Princess Royal. When a few weeks ago I saw in the *Sphere* the portraits of the six splendid sons of the present Kaiser, Frederick's son, I began to realize how old I must be to have assisted in my velvet tunic and white trousers at the marriage of their grandfather.

I think that the first letter I ever wrote in my life—and my hand was held at the time when I did so—was sent to my brother George, who joined the service at the age of sixteen in the time of the Crimean War. It was addressed to Ensign PHILIPS, 46th Regiment, Fourth Division, British Army, The Crimea.

I need not say that those time-honoured titles of Ensign in the infantry and Cornet in the Cavalry have long since been done away with. Why, I do not know myself, and I have never found anyone able to explain the reason.

I made very many acquaintances at school and some of them have remained life-long friends. When I left I had intended to go to Cambridge, and indeed my name was down for Trinity. On my father dying I changed my mind and decided to go to Sandhurst, and thence into the Army.

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I leave the Army.

I THINK I may say that I passed creditably into Sandhurst, for I did so straight from school instead of going to a "crammer." My position in the examination was twentieth out of a hundred and eighty, and I passed first in Latin. I was at Sandhurst for eighteen months, where I made many friends and where I enjoyed one of the pleasantest times of my life. The Commandant of the Royal Military College, Colonel Halliwell, although a firm man who would stand no nonsense, was still extremely kind to the cadets under his command, and the officer of my Company, "B" Company, Lieutenant Rogers, was wonderfully proficient in his profession, and one of the kindest and best men I

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ever came across in my life. When I was at Sandhurst there was a terrible amusement indulged in—at least I should look upon it so now—in which I must confess that I often took part. This was dog-fighting. My bull-terriers were provided by Sergeant-Major Cairns, late of the Carbineers, who had charge of the lower gate of the College which led into Yorktown. The Tichborne claimant had lately appeared upon the scene, and noticing in one of the papers in our reading-room that there was some doubt among certain members of the Tichborne family whether he was really Sir Roger, or whether he was not, I spoke to Cairns about it as I was passing through his gate on my way to Yorktown. “Oh, Mr. Philips,” he said, “he is the right man without the shadow of a doubt. I think I should know any private that I ever drilled, and I am sure I should know any officer. And of all the officers I should have known best it would have been Mr. Tichborne. Although a good plain-clothes rider, he was always a bad military rider, and except when he was on leave the Colonel had him in the riding-school every day. And he was always drilled by either Waddington or myself,”—Waddington was another Sergeant-Major of the Carbineers who kept the upper gate—“Mrs. Cairns and I went to see him a very short time after he came back. We both knew him in a minute. He is a fat man instead of a thin one; that is all the difference. But, you know, Mr. Philips, that often occurs with



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people. He told me things about myself, and hundreds of other things also that no one but himself could have known. There will be no bother about it, mark my words. He is sure to get his rights."

Cairns was a very hard-headed Scotsman, and it is somewhat funny that he should have been deceived ; if, indeed, that was the case. Sergeant-Major Waddington told me a similar story, as also did Sergeant Brittlebank of the same regiment, assistant riding-master at Sandhurst when I was there, who taught me military riding himself. I think there is a lot more in the Tichborne case than is ever likely to come out now, and I am certain that a great many of those people who absolutely believed in the claimant were not "fools and fanatics" as they were called at the time.

On passing out of Sandhurst, shortly before I was nineteen, I was gazetted to the Second Queen's Royals, and joined them at Birr or Parsonstown—the town possesses two names—in King's County, Ireland. I chose that regiment as I had a brother in it who was a captain, and I knew all the other officers from the Colonel—Colonel Werge—to the junior Ensign, having always spent my vacations at Sandhurst with my brother. Hence I had none of those disagreeables that sometimes a young officer has to put up with on joining his regiment when his brother officers do not quite take to him. I for my part can truly say that during my stay in the

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regiment I was on the best and most cordial terms with everybody belonging to it.

I will give an example of what may happen when a great dislike is taken to a newcomer by his brother officers. A young man was gazetted to a crack cavalry regiment then stationed at Aldershot, and he was most unpopular from the first. None of his brother officers would associate with him, nor even speak to him. He bore it meekly, and after mess each night, as nobody would address him in the ante-room, he went to his quarters which were situated in the permanent barracks at Aldershot, and there lit his pipe and read his book. One evening when he reached his room he found that about half a dozen gallons of water had been poured on his bed. He made no fuss about it, but slept upon the floor as well as he could.

One night, all attempts having failed to make him resign, five brave young officers walked up the stone steps of the permanent barracks to the young man's quarters and knocked at the door. He opened it. "We have come," said the first man on the stair, who acted as spokesman, "to throw your uniform and furniture into the barracks yard."

"I am afraid I cannot allow you to do that," he said. "I can't quite put up with that." Thereupon, the officer in question was fool enough to hit him in the face. Now, unknown to these young men, their victim was possessed of the strength of a Sandow and the science of the late Jem Mace, and



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he gave his assailant what Tom Sayers used to call the "Auctioneer"—that being a blow on the side of the jaw with the right hand. The blow nearly gave him concussion of the brain, and falling head foremost down the stone steps completed the business so effectively that the young gentleman was unable to be on duty for at least six months. Two of the others were kicked down stairs and the remainder fled. Needless to say, this young officer was not interfered with afterwards. These "Raggers" found that they had "caught a tartar."

As everybody knows, there is at Birr that famous telescope made by the Lord Rosse of my time. When there was anything extraordinary happening in the moon, or in Venus, or in Mars or in any important planet, Lord Rosse was kind enough to send down to the mess an invitation to any officers who cared to accept it to dine with him at the Castle and to see the games that were going on up above. I recollect being one of the three or four officers who on a certain occasion accepted Lord Rosse's invitation. And I recollect also how astonished I was that instead of looking up at the sky through a telescope I was asked to climb up a ladder and sit down in a room where the scenes that were going on in the heavens were depicted upon a table. Nothing more marvellous have I ever seen, and I need scarcely say that I was always glad to repeat my first visit.

I recollect a curious incident that happened while

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I was quartered at Birr. We had no billiard-room in the barracks, and the officers who wished to play billiards or pool had to go down to the town to one of the principal hotels in order to do so. On one occasion three brother officers—Charles de St. Croix, King-Harman, and Faulkner—and myself did so. We were having a game of pool when a powerful-looking Irishman evidently a little the worse for drink, and what some people call “nastily drunk,” came into the billiard-room accompanied by three or four friends. No doubt being perfectly aware of the nature of our profession, he began to abuse British officers and to say disdainful things about them. After a short time de St. Croix said to him, “You have a perfect right to your opinions, but you must not express them on this occasion, as there are four officers present.” “Well,” said the man, who was evidently a bully of the first order, “I shall continue to express them, and I say that all British officers are a set of rotters.”

“You had better not continue to say so,” said de St. Croix.

“I shall do so as much as I like,” said the man; “and I will also say that you are the biggest rotter and humbug of the lot.”

“What a fool you were to say that,” said de St. Croix in an almost caressing tone. He then went for the man who was heaping his insults upon those who carried the Queen’s sword, and, in vulgar parlance, knocked him into a cocked hat. The

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Irishman had absolutely no chance with him. I may mention that de St. Croix was the strongest man in the Island of Jersey, from whence he came, and the strongest man in the regiment. I was afraid he would kill the Irishman, but happily that was not the case, but the latter was so mauled that he set me thinking of the man mentioned by the late Artemus Ward, who was similarly treated, and who on going out into the street met his mother. "My son," said the old lady, "you have been fooling along with a threshing machine. You went in with the wheat and you comed out with the straw, and then you let the horses tread upon you. That's what you have been doing, my son." There is no doubt that the Irishman's plight was very similar to that of the Yankee. I do not know whether the latter had "asked for it," but certainly the former had, and only got what he deserved.

On leaving Birr the regiment was sent to Sligo and then to Athlone. Before I went to Ireland I used to think that I was a good rider across country, but I found how much I had to learn. The stone walls, the like of which I had never negotiated in England, appeared very formidable at first, and one felt that a little Dutch courage was needed to tackle them, but after a few days one thought nothing of them at all. Irish horses are very safe conveyances and scarcely ever fall. The way they negotiate the banks is something marvellous. There is usually a ditch on both sides of the bank, and when put at these

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obstacles the horses jump on the top of the bank, kick off with their hind legs and land you safely on the other side. They are as active and as clever as cats, which they much resemble. I remember buying a mare from Mr. King, the Member for King's County. I hunted her in Ireland and also for a season at Aldershot with Mr. Garth's foxhounds, with the H.H., with a pack of harriers, and with the Queen's Staghounds. She never once put me down. Having qualified to run her at the Sevenoaks Steeplechases I trained her myself on the Hog's Back, near Aldershot, and entered her for two races. In the first she was ridden by my brother, then Captain Philips, a famous rider across country, and she came in second in a large field. There was only one race between the one in which she had run and the second one for which she had entered, but as she seemed very fit and not at all the worse for her previous exercise I let her go for it. On this occasion she was ridden by a professional jockey named Jewitt, the father of the famous Newmarket trainer. She went very well throughout the race, and Jewitt came down to the last fence with a horse which had finished very prominently in the Grand National and was ridden by George Ede, who rode under the name of Mr. Edwardes, and who was afterwards killed at Liverpool. He was the most famous amateur jockey of his time, and had won the Grand National on several occasions, notably with Lord Poulett's horse The Lamb

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and his other famous steeplechaser The Colonel. Edwardes' horse came a cropper at the fence. My mare Kathleen jumped it beautifully, and Jewitt cantered in alone. Not a bad day's performance. The stakes were about £40 or £50, and I had a tenner on at ten to one.

From Athlone we came to Aldershot, and I recollect having the honour of carrying the Queen's Colours through the streets of Dublin. We embarked at Kingstown in the *Himalaya*, and shortly reached Portsmouth, and thence to Aldershot, where we were camped at Rushmore under canvas. This was in the summer time, but it was terribly rainy and cold, and we had to sleep between blankets and frequently messed in greatcoats, for of course no fire could be lit in the Mess tent. There were two cavalry regiments quartered there at the time—the 5th Dragoon Guards and the 10th Hussars—and the officers of both of them cottoned to ours in a very remarkable way.

The 10th Hussars was commanded by that famous leader of cavalry, Colonel Valentine Baker, and I have often seen him galloping down the long valley at the head of his regiment with King Edward, then the Prince of Wales, riding at his side, the Prince of Wales being the Honorary Colonel of the regiment. Baker, whom I afterwards came to know very well, was frequently field-officer of the day when I was on guard. He very rarely turned one out until between three and

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four in the morning. Soon after being "turned out" by the Captain of the day I used to retire to rest in the guard-room, but keeping my uniform on and my sword buckled at my side. In the small hours I was awakened by the sound of the sentry calling out, "Who goes there?"

"Grand rounds."

"Advance and give the countersign," "Guard turn out."

I would then rush out and give the order for the Guard to present arms. The Colonel would then retire with me into the guard-room, leaving his famous old white Arab charger in the hands of one of the Guard, and would partake of a brandy and soda or two. He always used to say, "I am so sorry Philips for being so late, but I was unavoidably detained," and I used to reply, "It does not matter in the least, Colonel."

Baker was a great personal friend of my eldest brother who had been in the "Blues," and they belonged to the same club. When Baker got into that bother with a young lady in the train coming from Aldershot to Waterloo, which cost him his commission, my brother asked me to advise him with regard to his defence and also as to which Counsel he should employ. I was only too glad to do so, and I recommended to him two of the best Counsel of the day, Mr. Hawkins, Q.C., and Serjeant Ballantine. He took my advice, and they appeared for him at his trial, which took place before



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Mr. Justice Brett, afterwards Lord Esher, the late Serjeant Parry appearing for the Crown. Ballantine was anxious to cross-examine the young lady, but Baker being a man with a high sense of honour would not permit this. He was found guilty and sentenced to twelve months in the first division, which meant that he could furnish his own cell, receive visitors, write whatever letters he pleased, and have his own food. He was cashiered, and had to leave his club. Curiously enough, on the evening of this unfortunate adventure he had come up to London to dine with the Duke of Cambridge, the then Commander-in-Chief, and this he did.

Queen Victoria took a very strong view of the matter, and Lord Alfred Paget, who was then Clerk Marshal to her Majesty, told me that she actually wrote to the young lady in the case and asked her for her photograph.

Brett, in sentencing Baker, expressed the hope that he would regain the position he had lost and would some day be able to continue to render the brilliant service that he had already done to his country.

Baker, when he left prison, joined the Turkish Service, who were very glad to enlist in their cause such a brilliant cavalry officer, for he had never been equalled since the days of Murat. He became Baker Pasha and commanded the Turkish Cavalry throughout the whole of the Russo-Turkish War. I recollect seeing him when he came back after the

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campaign was over, and he told me that in his opinion the Turks were absolutely the finest soldiers in Europe, but that they were not well led. He also said that the corruption in regard to the Naval and Military Service in Turkey was absolutely unbelievable.

Baker afterwards went to Egypt, where he took part in the campaign of the Soudan, and there he died.

The Prince of Wales always remained his friend. He got him back again into the Army and Navy Club, and he persuaded his mother to give orders that he should be reinstated in the British Army. And this would have been done had he not unhappily died.

As I have said, he was one of the greatest cavalry leaders of his century and his name will never be forgotten.

Most people who had sons in the Army could not have failed to have been interested by the correspondence which some little time ago appeared upon the regimental expenses of subaltern officers. Indeed the matter is one of almost universal interest. In the great majority of families there is sure to be one son at least for whom the Army is obviously the fittest career. I, for my part, had three brothers in the Army, and they all achieved success, two of them remarkably so. And it is to be hoped for many reasons, not only that our troops may look to their officers as gentle-



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men, but that the Army may afford a career where true talent and industry are sure to make their mark, and which may be open to young men of limited means as freely as to cadets of titled or wealthy families. The Army, it has been said, offers a man of an ambitious temperament fairer and nobler opportunities than does any other profession.

A successful general is, so far as actual achievements go, a greater man than a Lord Chancellor or an Archbishop, and even in the lower ranks of the Service exceptional valour or ability, or even resolute attention to the roads of duty will lead in the majority of cases to rapid promotion and correspondingly substantial distinction. And, indeed, for those who never rise beyond the medium of everyday duty, the Army is in its way as good a profession as any other. The average income of an officer at forty years of age, when we supplement it with the comforts and advantages of barrack life, with free quarters, almost free attendance, and other privileges, is at least equal to the average income of a barrister or a clergyman, or a medical man of the same standing. Indeed, in India, even a captain in a cavalry regiment receives a larger income than the average barrister, or clergyman, or medical man of his own age does. On the other hand, there are difficulties at the outset in all professions where etiquette renders it impossible for young men to commence by accepting a salary as a qualified assistant.

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It is obvious that some allowance must be made to him for a certain number of years.

No father is so foolish as to suppose because his son has been called to the Bar he can keep chambers and a clerk, and go circuit upon nothing a year in expectation of the business which is one day to flock in. Similarly, no one expects a subaltern officer to live upon his pay. Even in the most economical regiment his scanty stipend will be for some years barely sufficient to cover his Mess expenses and pay for the renewal of his uniform. When this fact is universally recognized few parents send their sons into the Army without some sort of an allowance. The question is what is the reasonable amount of such extra aid?

A lady wrote to a newspaper some little time ago, complaining that she allowed her son £150 a year in addition to his pay, and that he yet found it impossible to keep out of debt. Various other correspondents to the same journal, many of whom were senior officers of long standing, seemed to think that £100 a year in addition to his pay is all that any subaltern in an infantry regiment need want, and that if he exceeded that limit he must be extravagant or self-indulgent. The matter is one in which it is very difficult to lay down any principles or fixed line. None of us need to be told that it is impossible for a young man to live in the Guards without a handsome private income, or that the Cavalry is more expensive than the Line, or that even in the

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Line there are certain "crack" regiments, in which it is out of the question for a poor man to hold his own. In every profession and in every walk of life we have to learn the wholesome lesson of cutting our coat according to our cloth. But if the son of the lady in question was in an ordinary regiment, the allowance that she made him was more than liberal, and he ought to have considered himself exceptionally fortunate. It would be impossible to enter into exact details, but it may be stated roughly that the expenses of a subaltern will come to about 7s. a day, in which may be included a reasonable allowance for wine. His subscription to the band, to "Guest Nights" and to other regimental entertainments will come to about £20 a year or thereabouts, the renewal of his uniform will cost him much the same amount, and I am too liberal if I allow him a similar amount again for his regimental servant, his laundress (who is a soldier's wife, paid by contract) and other small incidental expenses. We thus, on a most liberal estimate, reach a total of less than £170 a year, and I have no hesitation in expressing my belief that in the majority of Line regiments these figures are considerably above the average. All else that the subaltern needs is pocket money, and the annual cost of his mufti, or plain clothes, and in this everything will rest with himself.

Very much, of course, depends upon the character of the regiment. In some corps the Colonel will discourage expense, do all that he can to show that

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he disapproves of extravagance, set the young men a good example himself, encourage senior officers to do the same, and generally discharge those duties which usually devolve upon the heads of colleges. Regiments of this kind are well known, and a young man of limited means has only to seek such an one. Under a good colonel who takes an interest in his subalterns, and with such assistance, his personal expenses will entirely depend upon his own powers of foresight, prudence, and self-denial. He must live like a gentleman, of course, but in the Army there is a general disposition to make things easy for a poor man who has the courage not to be ashamed of his scanty means.

In my own regiment, one of my great friends, who was of the same standing as myself, only had £50 a year besides his pay, but he managed to make both ends meet, and was one of the most popular amongst the junior officers. Afterwards he attained to considerable distinction. There is no social pressure to drink champagne, or hunt, or keep a motor, or play cards, or to take part in those lesser excursions and amusements which fritter away far more money than is needed for the most liberal subscription towards the regular regimental hospitality.

I am glad to believe our young officers in the majority of regiments are more cautious than is generally supposed. They are, as a rule, capital men of business in small matters, knowing exactly

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the value of money, and how far it should be made to go. Mess bills and other items of expenditure have to be settled regularly, and a man then knows exactly the rate at which he is living and ought certainly never to find himself in any grave financial crisis. If, at the end of the year, he is seriously in debt it must be his own fault. I am not, of course, including in these remarks regiments which are notoriously expensive, although even in these the scale of living has of late years been much less extravagant than it was formerly. If a young man is bent upon riotous living he need not go into the Army to gratify his tastes, and probably many more young men have come to grief at Oxford or Cambridge, or in the first few years of their professional life than in his Majesty's Service. I may add also that the military authorities have of late years been doing everything in their power to discourage high living among young officers.

A correspondent to the journal to which I have referred, who then held a commission, suggested that the lady should write personally to the Colonel of her son's regiment. No better advice could have been given.

His Royal Highness the late Duke of Cambridge, when Field-Marshal Commanding-in-Chief, made it his especial business to check extravagance among young officers, and the fact was well known to all colonels commanding regiments. The Duke's strong common sense made him recognize at once

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that with the abolition of purchase there must also come a change in the habits and mode of life of the officers under his command, and it is well known that he long exerted the great weight of his personal influence in this direction.

If I had known the lady I could only have assured her that if her son made undue demands upon her purse—which I am somewhat afraid was the case—any representation on her part would have met with the immediate sympathy and attention of his Commanding Officer, and would have been treated with the most absolute confidence. In any case, she would have received a full explanation, and, I may say, have been perfectly sure of knowing the worst. I hope, however, that the good advice and plain speaking which appeared in this case duly reached the person most concerned and set him thinking in the intervals of regimental duty on the patent fact that with an allowance of £150 a year he had the remedy against debt entirely in his own hands.

My brother George, whose regiment I have said I joined, exchanged as a captain into the 4th Hussars and joined his new regiment in India. He was a very fine rider indeed, and I think that his record during his first eighteen months in India will challenge any comparison. He won the Grand Military, the Bengal Grand Annual Steeplechase, the Arab Handicap, and many other races, on his



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own horses trained and ridden by himself. To complete his record he won the Spear for the Cavalry. That is decided much in the same way as the Waterloo Cup is amongst greyhounds. Two officers ride at the boar, and, of course, whoever spears him is the victor and the other goes out. Eventually it is narrowed down to two. My brother, having been successful on every occasion, found himself in the last two, and down these officers rode, my brother to prove successful in the final heat. He eventually became Colonel of the 4th Hussars, and remained so for four years, after which time it was necessary at that period for a commanding officer to retire. During his command there was scarcely any crime in the regiment. I recollect at Hounslow he ordered the barrack gate to be left open, trusting to the soldiers' honour to return at the proper time, and I can safely say that those who failed to do so were effectively dealt with by their own comrades, who fully appreciated the Colonel's kindness in this direction. There was no necessity, therefore, to bring them up to the orderly room the next day.

Shortly after his resignation from the regiment the Government sent him out to Canada, accompanied by General Ravenhill, of the Artillery, and Mr. Matthews the Veterinary Surgeon of the Blues, to endeavour to purchase horses which could be trained into chargers for the British Government. These three officers went through the entire

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Dominion, and although there was a large sum of money—I forget exactly how much it was—lodged by the British Government in a bank at New York to my brother's credit, they were only able to purchase eighty-nine horses. The fact of the matter was that the Canadian mares were at that time sired by the American trotters and hence produced foals that were entirely unable to carry a cavalry soldier. Indeed, they were only fit for trotting, and not too good at that.

The late King Edward, then Prince of Wales, who knew my brother very intimately (for the Commanding Officer at Norwich, where my brother at one time was stationed, was constantly invited to Sandringham) was immensely interested in this expedition and asked my brother to send him an account of it, which he did at the same time as he made his report to the Military Authorities.

Shortly after this Colonel Philips was appointed Adjutant-General to Lord Wolseley in Dublin. I recollect Lord Wolseley taking the chair at a meeting when my brother gave a lecture on drill, and in opening the proceedings Lord Wolseley said: "Gentlemen, Colonel Philips has been kind enough to say he will deliver a lecture to us on various subjects connected with drill. I need hardly tell you—you know him quite as well as I do—that he has had considerable experience not only on the Staff, but has been for a great number of years in the Infantry as well as in the Cavalry, and has com-





*Photo*

*Lafayette Ltd.*

*Holsley*



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manded a very distinguished regiment in the Cavalry for a considerable time." Many distinguished officers took part in the discussion, including Major-General Keith Fraser, C.M.G., Colonel Duncan, Colonel McAlmer, C.B., 4th Dragoon Guards, Colonel Ducatt, 1st Battalion Gloucester Regiment, and several others.

At the conclusion of the proceedings Lord Wolseley warmly congratulated Colonel Philips and tendered him his best thanks for the very interesting lecture he had delivered.

My next brother, James, joined the 23rd—the Duke of Wellington's—Regiment and proceeded to India. He then passed for the Indian Staff Corps, joining the Poona Horse. He was ultimately transferred to the Scinde Horse, in which regiment he became a major. During this time he marched with Lord Roberts to Kandahar, and so distinguished himself that he was mentioned in dispatches. He finally became Colonel of the Bombay Lancers, and was one of the lucky men who was able to retire on a pension which obtained at the time, and is far larger than that given to Indian Commanding Officers who at present leave the Service.

On Lord Wolseley's return from the Egyptian campaign, undertaken in the hope of relieving General Gordon, my brother called at the War Office to see him, when he said: "Five times I have sat down to write to you, to tell you that the

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detachment of your regiment was an example to the whole Army. Have you a whole regiment of men like those you sent?" The Colonel replied, "Come and see us." Lord Wolseley did so, and I think that was the reason of my brother's subsequent appointment as Adjutant-General in Dublin when Lord Wolseley was in command.

My brother went to dine with him privately at the hotel at which he was staying while the Royal Hospital was being got ready for his occupation, and in the course of conversation during the dinner my brother related how he dealt with his regiment, and always used to open the barrack gate at night to all who had a good conduct ring. He said that through trusting his men this privilege had never been abused.

Shortly afterwards, an Engineer officer told my brother that Lord Wolseley, when inspecting a regiment, asked the Commanding Officer what the fence round the camp was for, and the Colonel replied, "To keep the men in, and to prevent them from breaking out." "Have it removed at once," said Lord Wolseley.

This officer, who was standing by at the time, and related the incident to my brother, said: "His lordship had not forgotten how you dealt with your own regiment."

When the term of my brother's service as Adjutant-General expired, Lord Wolseley was away in Cork, but he wrote to the Colonel, and said:

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“MY DEAR PHILIPS,

“I deeply regret that I cannot be in Dublin to shake you by the hand as you are going away. What you have been to me I can never express in words, and what your loss is I at this moment fail to realize, and I doubt if I ever shall do so.”

The following letter, written to Colonel Philips by Lord Wolseley, shortly after the latter was made Commander-in-Chief, throws a very interesting side-light on his character :

*Commander-in-Chief,*

*War Office,  
London, S.W.*

*28.1.96.*

*My dear Philips,*

*In the midst of all the shams of the life I lead, surrounded by the usual crowd of self-seekers who throng the world, it is always pleasant to hear from one who lives for others and for God.*

*Thoughts of you “almost persuaded me” to try and follow your example, but I find a hundred excuses for my own selfishness and for following in the groove I have sought to attain and at last received; but I follow it knowing the vanity and hollowness and self-indulgence the life entails, and am therefore all the greater sinner.*

*My best thanks for all your good wishes, and believe me that I value the prayers of good men*

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*beyond all the praise of those amongst whom I live.*

*Very sincerely yours,*

*Wolseley.*

I represented my brother, who was unable to attend at the funeral of Lord Wolseley, at St. Paul's Cathedral. I never witnessed anything so impressive in my life as when the great Captain was laid to rest by the side of Wellington. My friend, Ernest Coffin, the famous artist, who accompanied me, admitted that he had never seen anything like it. When the massed bands of the Guards, and the organ of St. Paul's Cathedral thundered out the Dead March in Saul, to be followed by the Last Post, played by the band of an Irish regiment to which Wolseley was devoted, I do not envy the onlooker whose heart gave no response, and into whose eyes no tear came.

When I was quartered at Aldershot I curiously enough had spent more money than had been allowed me by my guardians, and seeing an advertisement in the *Army and Navy Gazette* that a gentleman of the name of Samuel Lewis would advance money to officers in the Army upon their note of hand, I jumped into my dog-cart after parade, drove to Farningham, and put myself into the train to Waterloo. From there I proceeded to Mr. Samuel Lewis' office, which was at that time, if

FARM HOUSE,  
GLYNDE,  
LEWES.

10-3-04

My dear Philips

Would you kindly put  
Miss Lowe's address on this  
enclosed note & leave it  
posted for me. I am very

grateful to you for getting  
me an Autograph letter  
of her very justly abroad  
brother. He had a hard  
day to perform at St Helena

& the manner in which  
he carried it out was  
never been duly appreciated  
by his countryman.

With warmest thanks,  
Believe me always

Your sincere friend

Wobley





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I recollect rightly, in a street out of the Haymarket, or at any rate adjacent thereto.

Mr. Lewis was in a very small way then, and the room into which I went was only provided with a table, two or three chairs and a shabby carpet. The sole literature I noticed was the "Army List."

"What do you want?" said Mr. Lewis when I came in.

"I want some money," I replied.

"What are you?" asked he.

"I am an officer in the Army."

"What regiment?"

"I am in the Second Queen's Royals," I answered.

"What is your name?"

"Philips," said I.

Lewis turned to the "Army List," and said, "Oh! You are quartered at Aldershot?"

I said, "Yes, I have just come up from there."

"How much do you want?"

"£25," I said.

"You seem very young. What age are you?"

"I am nineteen."

"Are you entitled to any money when you come of age?"

"Yes," said I—and I told him how much.

"Very well," said he. "You can have the money. I suppose you want it for three months?"

"Certainly," I answered, "that will do me very well."

"Now just write out what I dictate, and if after

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you have done so you do not care to sign it, there is no necessity to do so."

"Very well," I said, "what is it?"

He then dictated:

"I pledge my word as an officer and as a gentleman that if I am sued in respect of my promissory note for £30"—I am going to charge you a fiver for this—"I will not plead minority."

"Oh, I will sign that with pleasure," said I, "I should never think of doing such a shabby thing."

And I noticed that Samuel Lewis' hand trembled with excitement as he wrote the cheque.

I may mention that on receipt of some money from my guardian I paid the bill in question before it was due.

Samuel Lewis had very little money in those days, but the principal money-lender of the time, Mr. Julius Calisher, took a great fancy to him, and retiring from business himself, he lent Samuel Lewis something like £200,000 to lend. This Sam did to great advantage, and, as all the world knows, when he died a few years ago he left a fortune of something like £3,000,000. This fortune went to his wife for life. She did not long survive him, and at her death the principal part of it went to the poor.

Samuel Lewis was a very remarkable man, and a very kind-hearted one, except on those occasions when he thought he was being fooled. I recollect seeing him at Monte Carlo the last time he ever went there, shortly before his death, and he won £13,000

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at Trente et Quarante before breakfast. I was standing by his side at the time. He backed the red each time for the maximum of twelve thousand francs—£480—and he only lost once. He spoke to me as he was going away and said: "I saw you standing by me and I think you brought me luck; let us go over to Ciro's and have a bottle." We accordingly did so—and that was the last time I ever saw him in the rooms. He was a wonderful man and transacted business with people of the blood royal downwards, to their and his entire satisfaction. "I get money from the rich, and I shall leave it to the poor," was one of his sayings—and he acted up to it.

There will always be gamblers, as there will always be drunkards. Both vices are practically ineradicable; and as far as gambling is concerned this fact points in favour of Monte Carlo. Of two evils it is better to choose the lesser. A public place which is only opened at stated hours during the day, and where you can only lose the money which you happen to have upon you, is infinitely preferable to private gambling, which leads to playing upon credit, to subsequent quarrels, and to sitting up all night in a vitiated atmosphere of smoke, drink, and excitement. Evidently gamblers have found this out for themselves, or else gambling must be terribly on the increase, for every two or three years the Casino at Monte Carlo has to be enlarged in answer to the demands of the enormous crowds who yearly flock there. At the present time a new wing has been

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constructed and this wing contains several additional tables (the two trente-et-quarente and the six roulette tables being found insufficient to accommodate the players). At Monte Carlo, at any rate, you can only abuse the "Administration" if you lose, and you get no abuse in return. The doors are still open to you the next day, the same smiling servants take your hat and coat, and the most urbane of croupiers invites you to "play the game." Moreover, there are always wonderful stories of gigantic sums won by people who are at their last gasp, and, indeed, some of them are absolutely true. A year or two ago it is an authentic fact that an Italian who had just been made bankrupt in his own country, arrived at Monaco with thirty francs (in English money about twenty-four shillings). With this slender capital he managed to win £2400 and when his luck turned and £400 of his winnings disappeared, he left off playing and returned to Italy to set up in business again with his capital of £2000. Of course these cases are very rare, but nevertheless they do occur sometimes, and many people who hear about them are thereby induced to play. The bank has a steady advantage in its favour. The percentage is small, but it is certain, and, of course, the longer you play the more positive is it that you will lose. Still, if people will gamble, and, as the late Archbishop of York, Dr. Magee, pointed out, it is evident that there are those who cannot live without this excitement, then perhaps the best method of indulging in their favourite

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pastime is to go to Monte Carlo, and at any rate get a full run for their money. They will probably lose, but anyway they will not be cheated.

Of course, there are money-lenders—and money-lenders. But however much these gentry may differ—and they do differ in many remarkable ways—there is one point in the conduct of their proceedings about which they exhibit a striking unanimity. They always charge 60 per cent. for the accommodation they afford—and as much more as they can get. Money-lenders may be roughly divided into four classes:—

- A. The leading West-End bill-discounters; or kings of the usurers.
- B. The smaller bill-discounters.
- C. The bonâ-fide bills-of-sale men.
- D. The bogus bills-of-sale men.

I will deal briefly with these four sections of the money-lending community.

Princes of the tribe always, or nearly always, live at the West-End—Cork Street, Burlington Gardens, and Jermyn Street and Sackville Street, Piccadilly and St. James's Street are the localities in which, as a rule, they pitch their tents. Their offices are very handsomely, and, indeed, elaborately, furnished. There is a plentiful supply of jewellery upon the premises with which to entrap the unwary. In the old days the West-End usurer was perfectly content if he could palm off a few dozens of inferior port or

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Hamburg sherry upon his customer. The usurer of to-day flies at higher game, and in a big transaction often manages to dispose of £2000 or £3000 worth of jewellery—needless to say at an uncommonly remunerative price. The West-End money-lender has always in his service a remarkably astute gentleman, who in some way corresponds to a solicitor's managing clerk. This trusty lieutenant knows all his master's customers, and if occasion requires, exactly what lie to tell without consulting his principal. Then, too, there is generally a tame solicitor on the premises, or at all events, round the corner, who is ready at a moment's notice to prepare any necessary documents, or take a declaration from the victim as to his circumstances, prospects, and general indebtedness, if it is thought desirable to possess such a lever in case of non-payment.

The interest charged by money-lenders such as those I am at present describing varies from 40 or 50 to 100 per cent. It is generally fixed at £20 per £100 for three months (*i.e.* at 80 per cent.). The first transaction usually takes the form of a bill at three months, carrying interest after it becomes due, at the rate of a shilling in the pound per calendar month (*i.e.* 60 per cent.) until payment. Then for the most part follow "renewals" or fresh transactions, in which interest is heaped upon interest, with the inevitable result that the position of the borrower is ten times worse than it was when he first entered the den. Of course money-lenders may



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occasionally be of great service to people who require a sum of money at a moment's notice, and have no other means of obtaining it than by applying to a usurer.

There is a good deal of truth in the famous "Mr. Benoni Crabbe's" remark, when he says: "The question for my clients to ask themselves is not the amount of interest I demand, but what my money is worth to them. I do not hunt them up, they come to me, and often in ghastly trouble. I have saved officers of unblemished repute—men with the Victoria Cross and the Ribbon of the Bath—from being hooted out of their ships and regiments; not always by their own fault, but sometimes through mishap or evil fortune. My money has often been more than gold; it has been life and honour. I have known a surgeon take a thousand guineas for saving a man's leg. I have saved men from blowing out their own brains by lending them £50 at a moment's notice." Still, on the whole, I am inclined to think that the late Lord Justice Lopes' remarks upon money-lenders as a profession were in no sense too severe. Anyhow, Samuel Lewis was the king of the tribe, and I very much doubt if his vacant place will ever be again filled.

As for the smaller bill-discounters, they carry on a precisely similar business, only, of course, on a much more modest scale. They have, for the most part, a humble office at the West-End where they negotiate small loans at a rate of interest positively

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appalling. When, by means of advertisements or otherwise, a victim to whose wants, through lack of capital, they are unable to administer is hooked, they march him off to one of their richer brethren, who gives them a liberal commission for the introduction and a share of the profit when the unlucky borrower has been sufficiently bled. During the last few years it has been shown, in many cases that have come before the law courts, that among this section of bill-discounters there are a considerable number of "bill-stealers" who have a playful way of extracting an acceptance for a considerable amount from the intending borrower upon the plea of getting it discounted for him, handing it to a friend who afterwards poses as the "innocent holder for value," and dividing the proceeds with their fellow-conspirator after their dupe has been made to pay.

I next come to the man who advances money upon bills-of-sale. Now the bonâ-fide bill-of-sale man does not as a rule advertise. His customers for the most part are introduced to him, by the shadier kind of solicitors, and sometimes, indeed, by sheriff's officers and their assistants. When an execution has been levied, the "man in possession" left by Mr. Ezekiel, or Mr. Aaron, or Messrs. Shadrack, Meshach and Abednego, makes a point of suggesting to the distracted mistress that the "governor" has a friend who desires nothing better than to "pay it out." And if the proffered services are accepted, the result inevitably takes the shape of a bill-of-sale,



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with something very like 150 per cent. interest tacked on to it. The interest charged by the bill-of-sale man is enormous ; and if a single instalment be a couple of days in arrear, he has a habit of sending down a large furniture van, accompanied by a dozen men, and clearing his customer's house in the most light-hearted manner possible.

I am thankful to say that the last Bills-of-Sale Act has proved a great stumbling-block to these people. In order that a bill-of-sale should be valid and regular, the provisions of this Act have to be most rigidly followed, and Shylock has been bowled out over and over again, and his bill-of-sale declared absolutely void, because he has not been content with what the law in its wisdom has seen fit to allow him, but has thought proper to prepare a bill-of-sale upon his own model and to suit his own plans. I have painted the West-End usurers in their true colours, and can scarcely be accused of exaggerating their merits ; but when all is said and done, these worthies are at their worst men of honour, courtesy, and even kindness compared with those who employ that legal instrument of torture, the bill-of-sale, in the various stages from its preparation and signature down to the almost inevitable conclusion of wreck, pillage, and too often downright theft.

Lastly, there is the bogus bill-of-sale man. This individual advertises that he will lend money at 5 per cent. upon furniture, or farming stock, or any other available security. The loan is to be made

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without publicity and will be carried through free of all expense. But the applicant soon finds out how little of this fairy-tale is true. In the first place, he is asked to pay as large an "inquiry fee" as the so-called money-lender thinks can be wrung from him; and when he has parted with this he is called upon for a further sum in connexion with the expense of carrying out the loan; and is finally told that the inquiries relative to himself having proved unsatisfactory the lender greatly regrets he is unable to make the advance. These gentry live almost entirely upon the inquiry fees paid them by their victims. Some of them, as was shown by a recent trial at the Central Criminal Court, never make an advance at all. Others, perhaps, may do so to one out of fifty applicants who have paid inquiry fees, and then, of course at an enormous rate of interest. Indeed the "5 per cent." generally swells into 500.

It is to be regretted that the unhappy victims do not more often put the criminal law into force when they have found themselves cheated in the way I have described. But of course it is easy to see why they should shrink from publicity and prefer to allow themselves to be robbed rather than publish their impecuniosity to the world. And thus the foulest inmate of this foul nest carries on his nefarious calling with comparative impunity.

My brother, Colonel George Philips, when Colonel of the 4th Hussars never allowed any

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“ragging” in the regiment. He used to tell the officers that if any of them did not like an individual they were not bound to associate with him, but he utterly refused to allow him to be “ragged.” I recollect that Colonel Philips had in his regiment when quartered at Hounslow at least thirty gentlemen who were unable to pass their examinations for Sandhurst and yet wished to get into the Army through the ranks. One of them was the son of Earl Nelson. The young man enlisted in the 4th Hussars and three or four days afterwards his father came down to Hounslow and asked to see Colonel Philips. When he met my brother he said: “Can you tell me, Colonel Philips, if my son has enlisted in your regiment, and, if so, whether I can see him?” The Colonel replied: “Well there is a young man named Nelson enlisted in the regiment, and I will take you to see him if you like. I think he is at present in the stables.” Lord Nelson and my brother then proceeded to the stables, where they found young hopeful cleaning a horse. Lord Nelson begged my brother to allow his son to go with him to London for a day, and of course permission was granted. The Colonel’s brougham conveyed father and son to the station, and funnily enough, the sentry recognizing it and seeing that there was somebody in uniform seated therein, presented arms. A great many of the young men to whom I have alluded through my brother’s intervention obtained a commission.

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Young Nelson himself was made a sergeant and went out to the Soudan in the Camel Corps, but for some slight irregularity he was "reduced to the rank and pay of a private sentinel." But for this slip he would certainly have obtained a commission, which so many of his friends did.

I recollect taking part in a sham fight in the Long Valley at Aldershot when Queen Victoria was present. I was in command of the Colour party of my regiment, and we were charging up a hill. Suddenly one of the members of the Colour party named Jordan, the servant of a great friend of mine, a lieutenant of the regiment, named Lawrie, dropped down dead, and thereupon I naturally halted the party, and the Adjutant of the regiment, whose name was Woodard, galloped up to me and asked me "what the devil" I was doing. "Well," I answered, "there is a man here who has fallen down and is probably dead, and I thought I had better halt the party." "Good heavens!" he said, "You are quite right, and I am very sorry for what I said." Jordan was conveyed on a stretcher to the dead house at Aldershot, and the sham fight proceeded.

I had many happy days in the Army, and was sorry to leave it, but I had somehow or other a "call" to the theatrical profession.

## CHAPTER III

I enter the theatrical profession and take the Prince of Wales' Theatre in Liverpool : Some theatrical pseudonyms : I lease the old "Globe Theatre" : Walking down the Strand with the late Czar of Russia : The Grand Duke Alexis : A King Edward incident at the Savage Club : Various theatrical ventures : Violet Cameron : Jenny Lee : D'Oyley Carte : Sir Charles Wyndham : Sir Henry Irving : Wilson Barrett : J. L. Toole : Toole and the Archbishop of York : A lively discussion on Church and Stage : Henry S. Leigh and an athiest : "Natural Jurisprudence" : Charles Brookfield : Sarah Bernhardt produces a dramatized version of my novel "As in a Looking Glass" : An unpleasant encounter with Sarah's pet lions : Her love of danger : Alexandre Dumas : Charles Hawtrey : How he got round the Censor : Brookfield and the badgering butcher.

I RESIGNED my commission in the Service and took the Prince of Wales' Theatre in Liverpool. In those days a person never appeared in the theatrical profession under his own name. For instance, Sir Henry Irving's real name was Brodribb, Kendal's name was Grimston, the great Compton's name was Mackenzie, David James' name was Belasco, and so, therefore, I assumed the name of Fairlie. I had a quasi partner named Eldred. H. J. Byron, who had a theatre in Liverpool at the time, was once asked how he was doing. His

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answer was, "Well, not so well as I could wish, but still I am holding on." "How is Eldred doing?" said the inquirer. "How is Eldred doing?" was the answer, "Why, he is doing Fairlie."

Poor Eldred never did me out of a penny, but Byron could never resist his joke any more than could my dear friend the late Charles Brookfield.

I lost a great deal of money at the Prince of Wales' Theatre, Liverpool, but I thoroughly learned the theatrical business. After I left Liverpool I took a theatrical company into the Provinces, and before long, in 1874, I ran the St. James's Theatre, for the London season. In September of that year I took the lease of the old Globe in Newcastle Street, Strand. The owner was Lord Kilmorey, then Lord Newry. I had produced an opera of Offenbach's at the St. James's called *Vert Vert*, and this I continued for a considerable time at the Globe.

I do not suppose there are many people who can truthfully say that they have walked down the Strand with the Czar of all the Russias. Curiously enough this experience happened to me in the early days of my tenancy of the Globe Theatre. The late Czar, who was then Czarevitch, accompanied by his brother, the Grand Duke Alexis, came to see Offenbach's Opera *Vert Vert* which was then running at the Globe. The English Royal Family were not in London at the time, but the Czarevitch and his brother were staying at Buckingham

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Palace. After the second act the Czarevitch sent for me and asked me if I would give instructions that the Royal carriages which were coming to take their Imperial Highnesses back to the Palace should be sent away on their arrival. He then begged me to return to their box, after having given the necessary orders. I did so, when he asked me if I would take him and his brother through the ordinary entrance to the theatre and then send for a hansom. I told him that I would do so, and that I would return to him the moment the hansom was there. Going out at the front, I failed to find the linkman, whose duty it was to fetch whatever cabs were required. He was probably consoling himself in the adjacent public-house. I went back to the Royal Box, and told the Czarevitch how matters stood and said that I myself would go into the Strand and get a hansom. "No, no," said he, "if you will be good enough to walk with us, we should be obliged." And this, of course, I did. Then the usual thing occurred. When one wants a cab one can never get one, and when one does not, one is pestered by the invitations of the gentlemen who drive these vehicles, and it was not until we reached Somerset House that I was able to hail a hansom. On the way thither I asked the Czarevitch if he knew my eldest brother, Jack, who, I was aware, was a great favourite of his father's, the then Czar, and frequently stayed with the Imperial Family at Livadia, and other places. "Good heavens!" he



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said. "Do you mean to tell me you are Jack's brother? He is one of my greatest friends, and my father simply adores him." After that everything was so pleasant that I felt sorry when our walk came to an end. I put the two into the hansom, and said to the Czarevitch, "Buckingham Palace, I suppose, Sir." "Yes," he said, "and so many thanks for your kindness." I told the cabman where to go, and stood watching the retreating vehicle. A few moments later I saw a hand come out of the box at the top of the cab, and the cabman, drawing up, was no doubt given fresh instructions as to his destination.

I never saw the Czarevitch again. He ascended the throne a very few months afterwards, on the assassination of his father, but I constantly saw the Grand Duke Alexis at Monte Carlo, and Paris, and other places. Indeed, I did so up to the time of his death, which took place in Paris not so very long ago. The Grand Duke, who possessed all the delightful qualities of the sailor, kept out of Russia as much as possible. Probably his father's and his brother's fate was present in his mind.

My old friend, the late Edgar Lee, told me a story in which the Grand Duke Alexis was concerned. He and the late King Edward, then Prince of Wales, had gone to the Vaudeville, and afterwards, at the Prince's invitation, the Grand Duke accompanied him to the Savage Club. Shortly before this there had been some trouble between the Savage



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Club and the Licensing authorities. It seems that a representative of the latter called at the Savage Club one Saturday evening, and in the rush of business which generally takes place on the day in question, was served with a drink after hours, although he was not a member. A summons was issued, and there appears to have been a good deal of trouble in the matter, and the waiters were warned to be very careful whom they served. The Prince of Wales and the Grand Duke Alexis went into the smoking-room, which was empty, and the Prince, after consultation with the Grand Duke, ordered two whiskies and soda. "I have to ask your name, Sir," said the waiter in attendance, "I do not think I have seen you before." "My name is Albert Edward," said the Prince. The waiter immediately referred to the list of members. "I see an Edwards here," he said, "but his name is not Albert. I do not see your name here, Sir." "Well," said the Prince, "I am a member, and my name is Albert Edward." "Well, Sir," said the waiter, who, after the late bother, was terrified out of his life, "I am afraid I cannot serve you; I cannot find your name, and it is more than my place is worth to do it." Happily, at that moment, a member entered the smoking-room, who, like most other people, knew the Prince by sight, and everything was of course put right, the unfortunate waiter nearly dying of fright.

Later on I spoke to the Grand Duke Alexis

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about this amusing incident, and he confirmed all that Edgar Lee had told me.

Shortly after the run of *Vert Vert* was concluded I entered into a quasi partnership with the late Alexander Henderson, the husband of the famous Miss Lydia Thompson, and we produced a burlesque by Farnie and Reece called *Bluebeard*. It was an immense success, and ran from December 1874 to the end of June 1875—quite a long run for a burlesque in those days.—We took something like £32,000 in that time, and my share of the profits was roughly £7000—not so bad for a young man of twenty-five. The three people who acted the principal characters in this successful piece were Lydia Thompson, Lionel Brough, and Willie Edouin, who, I grieve to say, have all passed away during the last few years. Queen Alexandra, then Princess of Wales, was so delighted with this burlesque that she came to the Globe Theatre no less than six or seven times, bringing the Royal children with her, one of whom was the present King.

Afterwards, on August 31, 1878, Henderson and I produced *Les Cloches de Corneville*, an opera by Planquette, which ran for nearly two years. Originally the part of Germaine was played by Florence St. John and that of Serpolette by Kitty Munroe, but after a time Florence St. John was transferred by Henderson to the Strand, where she played the part of Madame Favart in Offenbach's opera of that name. Her place was taken by Violet

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Cameron, Kitty Munroe continuing to act Serpolette. The "Cloches de Corneville" was an immense success, and Henderson and I made a great deal of money out of it.

I was at its first production at the Folies Dramatiques in Paris, together with my friend Horace Stopford, of the Coldstream Guards, and at that theatre it was an unqualified success. Indeed, I have scarcely ever seen any such enthusiasm at the fall of the curtain. In this opera, as most people know, there are at least half a dozen airs which the boys can whistle as they walk out into the street. Horace Stopford was so taken by the music that he bought a score of the opera, and on his return to London handed it to the bandmaster of his regiment, and hence it was that the music of *Les Cloches de Corneville* was played by the band of the Coldstream Guards before ever it was produced in a London theatre.

I had many other successes at this theatre, especially one with Jenny Lee as Jo. This play, which was adapted by her husband, Mr. Burnett, from Dickens' "Bleak House," was an immense success, owing to her marvellous acting and to the great assistance she received from her sister and her husband, the latter playing the part of Inspector Buckett. This play had been refused by half a dozen managers, but when it was handed to me by the late Edgar Bruce I at once believed that it would be a success, and I was right. Bruce

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was a partner with me in this venture, which put a good deal of money into our pockets.

During my seven years' lesseeship of the Globe I never made a monetary failure. On one occasion, in an opera of Offenbach's called *The Brigands*, which was produced by that famous stage-manager, Charles Harris, a brother of Sir Augustus Harris, I only just paid expenses, but during the seven years I made at least £35,000.

The late D'Oyly Carte begged and implored me to join him in producing Gilbert and Sullivan's operas, but I was doing so well at the time that I was obliged to decline his offer—the more especially as I was aware that up to that period English opera had not been particularly successful. Had I joined this venture I should have made a fortune.

Charles Wyndham approached me with a view to my doing *The Great Divorce Case* at the Globe, but I showed him the box-office sheet, and he agreed that it would have been madness on my part to interfere with the run of the piece that was then being played at my theatre. He afterwards produced the piece in question at the Criterion. It was an immense success, and was followed by a great many others, and, as we all know, Sir Charles has made a large fortune. This he really deserves, for in my judgment a better or a more capable man never walked on the earth.

I may mention that in my early days of theatrical management I engaged the late Sir Henry Irving

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for a sum so low as £12 a week. This was to play the part of the Hon. Arthur Mompesson in T. W. Robertson's comedy *Progress* in Liverpool, a part which had been played in London by the late Henry Neville. Irving having received an offer from F. B. Chatterton, the celebrated lessee of Drury Lane Theatre, begged me to let him off, and this, of course, I did. While at the Globe I acquired the provincial rights of *Madame Favart*, and opened the Royalty Theatre, Glasgow, which had just been built, with that opera. I engaged a marvellous company, which, with the exception of Florence St. John, who played the part of Madame Favart, was distinctly better than the exponents of the various parts who played in London. For instance, I had Sir Herbert Beerbohm Tree as the Marquis de Pontsablé; Fred Leslie in the part of Favart, originally played at the Strand by Marius; and Walter Fisher, at that time the best English tenor on the stage, in the part played by Bracey. This play ran in the Provinces for nine or ten months, and, as a rule, I did very well out of it. But I had two serious misfortunes on this tour. The company arrived at Huddersfield on a Sunday afternoon, and were to play there on the following night. On the Sunday night the theatre was burned to the ground. I hurried up from London to Huddersfield, and the company, who could not have claimed any salaries because of a catastrophe which had happened, as they call it, "by the act of God,"

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were delighted to hear that I intended to pay their full salaries. I was doing very well at the Globe at the time, and this was the least I could have done, and I take no credit for it. I can quite understand that a struggling manager in the Provinces might have been unable to do as much.

Another disagreeable experience on this tour I experienced at Leeds. I had arranged with the late Mr. Wilson Barrett, who had built one of the finest theatres in the Provinces, for a week's production of the piece in this town. Alas! the General Election came on. Herbert Gladstone—now Lord Gladstone—was a candidate for the constituency, and his father, the “Grand Old Man,” came to Leeds, and every evening addressed enthusiastic crowds in the street. In the result very few people attended the theatre, and a large loss was occasioned to Wilson Barrett and myself, as we only took about £30 a night.

The late J. L. Toole told me of an interesting experience he once had at Dieppe with the then Archbishop of York, Dr. Thompson. They were both staying at the Hôtel Royal, and had made each other's acquaintance, Dr. Thompson not having any idea of the identity of Toole. One afternoon they found themselves at the Château d'Arques near Dieppe, where they were inspecting the ruins of that famous castle. “Delighted to meet you, Sir,” said the Archbishop; “I hope we shall again be near each other to-night at the table d'hôte. Allow me to say that I was much impressed with your



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remarks on the policy of the Government. It seems to me that Mr. Gladstone (Mr. Gladstone was then Prime Minister) sadly needs discretion. He puts his confidence too rashly in young and untried men. In political, as, indeed, in ecclesiastical matters, judgment is at present much needed." "You are quite right, your Grace," said Toole. "I am no politician myself, but I can quite see how the public is led astray. I was very much interested in what you were saying last night about the uncertainty of the popular judgment. Why, you can never tell whether a piece will run a thousand nights, or whether you will have to change the bills before the week is over. All I can see is, that the public are our masters; and it's my own private impression that they know about as little of dramatic art as they do of theology."

"I beg your pardon, Sir. I was not aware that—may I take the liberty of asking? Er—I had—er—in fact—imagined that—er—you were in some way connected with the Diplomatic Service. I presume from what I gather——"

"Right you are, your Grace. I am an actor, and have been so most of my life. My name's Toole, of Toole's Theatre. Low comedy is my particular line, although I am considered uncommonly good in character parts. I wish I could see your Grace at my house now and again. I am sure you would enjoy "*Ici on Parle Français*." It is really amusing, I give you my word."

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"I was not aware, Mr. Toole," answered the Archbishop, archiepiscopally surveying his gaiters, "to whom I was talking, although I confess that it gives me great pleasure to meet you. I take considerable interest in the Drama, and was much pleased with the manner in which the undergraduates of St. Christopher's reproduced the 'Supplises of Æschylus' the year before last. And this makes me the more regret that talents such as yours should be, as I cannot but think, thrown away. If the great gifts which you undoubtedly possess had been, under Divine guidance, turned into another channel, what invaluable results might not have ensued! These are grave times, and every man should do what he can to aid the cause of the Faith."

"I entirely agree with your Grace," said Toole. "The times are very grave—especially from your Grace's point of view. But it seems to me that it is the Church which is in fault rather than the stage. You think I ought to put my gifts to higher purposes? What do you do with your great gifts? You took a first class in Classics, and you were Warden of your college when my nephew was an undergraduate there. And you have written a book on 'Prehistoric Pythagoreanism' and another on the 'Mutual Outlines of Institution and Faith.' But what do you do now? Literally nothing. You spend the parliamentary season in London attending to your duties, as you call them, in the



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House of Lords. You pass the vacation on the Continent, first sticking a notice in the papers saying that letters of emergency are to be addressed to your secretary. I really fail to see what a Bishop has to do, except to ordain, to consecrate and to confirm."

"I assure you, Mr. Toole, the work of a diocese in these days is overwhelming."

"I will take your Grace's word for it," said Toole. "But you will allow me to use your Grace's own argument. I want to see the immense abilities of the Episcopal Bench put to better purpose. It seems to me, in my humble judgment, that the Bishops are not such a power for good as they ought to be. The fact is, your Grace, that of late years the Church has somehow ceased to draw."

"The expression is painfully familiar, Mr. Toole."

"I beg your Grace's pardon, I am sure; but you know what I mean. The Church has no real hold on public feeling. An eminent preacher is not half so well known as an eminent actor. There is not a man alive in these days with the power that used to be wielded by men such as Wesley and Irving—who, by the by, were Nonconformists. Why, if photography be the mere test of popularity, the Bishops of the Established Church are actually eclipsed by the principal Nonconformist ministers."

"I presume, of course, Mr. Toole," said the Archbishop, "that you are speaking in earnest; if so,

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I must remind you that the theatre is only a place of idle amusement, and has attractions of its own for the thoughtless crowds by whom it is frequented."

"That is exactly where your Grace is wrong," said Toole. "The crowds that frequent a theatre are not at all thoughtless. The pieces that draw the largest houses always have something in them."

"Surely, Mr. Toole, what are called burlesques——"

"Burlesques, your Grace, are as played out as Ritualism. The public wants a piece prettily mounted, but it wants something more. You must have real wit, and in a serious piece you must have real feeling. I happen to be proud of my calling, and I am certain that the hold of the stage upon the public in England in the present day is as great as it was in Athens in the days of Sophocles, with whom your Grace is better acquainted than I am. Everybody talks about a new play. Whoever talks about a new sermon? Everybody knows our chief actors; they are as well known as Cabinet Ministers. Who knows the names of the Bishops, or even how many of them there are? Every paper keeps a dramatic critic. When do you ever see the report of a sermon? If there were any vitality in the Church it would come out at Convocation. Who ever reads the debates in Convocation, or troubles about them?"

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"The Church, Mr. Toole," answered the Archbishop, "does its work in its own way. It has no adventitious advantages."

"The Church has every advantage, your Grace," said Toole. "Look at Moody and Sankey. They had nothing in the way of stage effects beyond a harmonium. Look at the Salvation Army. Not that I am at all too fond of it myself. But look how it gets hold of the people. Now the Church of England, somehow, does not do this. Ritualism never had any hold of the masses, who are always suspicious of anything like Roman Catholicism. The low Church set—the Clapham School—is defunct. Not even a maid-of-all-work thinks it wrong to enjoy her Sunday holiday, and nobody that I know reads Mrs. Hannah Moore. Broad Church is too shadowy for the English mind, which never really appreciates the higher criticism. If the Church wishes to be a power, it must make a new departure for itself. There is more connexion than might be supposed between the Reformation and the great outburst of the Elizabethan drama. The stage was never so full of life as it is at this minute. Why is the Church so dead?"

"Although I cannot agree with your remarks, Mr. Toole," said the Archbishop, "yet they are extremely suggestive. I cannot, of course, admit that the stage is at all educating the national mind."

"Of course not. Your Grace never goes to the

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theatre and has no means of judging. But what is the Church doing?"

"Tell me, Sir, what you can suggest that the Church ought to do, or what it is she leaves undone."

"There are the Cathedrals, your Grace," answered Toole. "They are the finest public buildings in England; and they are practically useless. The English ritual—if a layman may speak on such a subject—is very attractive. English clergymen—some of them—are men of great ability. When I am at Oxford by any accident, I never miss University sermon in the morning, and I enjoy evening chapel at Magdalen or New. But, take England all over, the Church wants life, else dissent would not be so strong as it is. Let the best men preach, your Grace. Make more use of your cathedrals. Have shorter services and make them more attractive, and the Church will then get hold of the people, as it has got hold of them in the country parts of France. And let me advise your Grace to go to the theatre once or twice, and see for yourself one or two of the plays of the kind that are really successful, and ask yourself what it is in them that makes them take."

"I cannot promise to take your advice, Mr. Toole," said the Archbishop. "But much of what you have said has interested me profoundly." He then assumed the air of one who considered the conversation closed by an appropriate benediction.

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Mr. Toole, taking the hint, said : “ Your Grace is too kind. I daresay all this is new to you. If you want to move people, you must give them something new, and you must let it be good as well. I have been on the stage for thirty years, and I ought to know.”

I knew the Archbishop very well, for he was a great friend of my father, and I can well imagine him soliloquizing thus :

“ I should certainly never have taken him for an actor. I never knew these kind of people were ever gentlemen, or even educated. I often wish myself that we were more like the Judges, more of a power. I’m sure I take great trouble over my charges ; and I was five years over my ‘Harmony of the Major and Minor Prophets,’ which not even the *Spectator* has noticed. I see whom he had in his mind. He was thinking of men like Lyddon, Farrar, and Kingsley. But men of that sort are always dangerous. You are never sure what they may not commit you to.”

And I can imagine Mr. Toole assuming his stock facial expression of intense silent enjoyment, and saying to himself, “Rum old buffer ! Got a good appearance. Well preserved. Well got up. Fine voice. Pleasant manners. He ought to take, but he doesn’t. Why on earth is it that parsons, big and little alike, do get so abominably cramped in their style. That’s what I wanted to tell him.

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However, it's no business of mine, and it will be all the same a hundred years hence."

This story of Toole and the Archbishop reminds me of another I have never seen in print although it is well known to most of the senior members of the Savage Club.

Henry S. Leigh, the famous author of the "Carols of Cockayne," scored a magnificent victory over an atheist.

The gentleman in question was Mr. Crowe, who for several years ran the Promenade Concerts at Covent Garden. Leigh and Crowe both belonged to the Savage Club, and Crowe was so continually announcing—in not too measured language—his atheistical views and his absolute disbelief in even the existence on earth of the Second Person in the Trinity, that Leigh, good young man as he was, at last got tired. He rolled off this impromptu, which settled Crowe for all time :

We've often heard in language spiced,  
That Crowe does not believe in Christ ;  
But what we really want to know  
Is whether Christ believes in Crowe ?

When I was on the *World* I wrote a story in dialogue for Edmund Yates, who was then its proprietor and editor, which was called "Natural Jurisprudence." The story was how a burglar got the better of a hanging judge. Mr. Yates was kind

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enough to tell me that he thought it was as good a story as he had ever published in the *World*.

I therefore give it to my readers :

Scene.—The principal bedroom of Mr. Justice Gripper's villa at Esher. Time, 2 A.M. His lordship is discovered in bed, snoring the sleep of the just. He is roused by the entry of Mr. William Sikes.

Mr. Justice Gripper [starting up in bed]. Hullo! Who's there?

Mr. William Sikes [cheerfully]. Only me, guv'nor.

Mr. J. G. And who the devil are you, Sir?

Mr. W. S. You'll know soon enough' guv'nor. [Sits down in an easy chair.] My name's Sikes—William Sikes of Hoxton. Your lordship knows me and I know you. You keep quiet and civil for once in your life, and you're alright. Ah! ring the bell, would ye? Try that again, and I'll crack your old head with the water jug!

Mr. J. G. [livid with indignation]. Leave the room, Sir!

Mr. W. S. [pleasantly]. Ah, you always used to like to get rid o' me in a hurry. No; I ain't going to leave the room, and it's no good calling your servants. Two of them are jugged in the cellar, t'other's in the swim. And the women-folk are in bed with the sheets over their heads. Fust of all let's make ourselves comfortable. You're a good judge of a cigar, you are. [Extracts a choice regalia



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from his pocket, lights it, and mixes himself a stiff glass from a spirit-case on the table.] Now, look here, you old pig, do you know me now? You've had me to rights once or twice; it's my turn now.

Mr. J. G. You will pay for this, Sir! I never forget a face.

Mr. W. S. Don't you? Now, take care; none of your violent language. You've more to thank me for than you know of. I've two pals with me in this job. You gave one of 'em four-and-twenty not so long ago, and he wanted us to tie you up to the bedpost, shove a towel in your old mouth, and give you four dozen. He'd a-done it if I hadn't stopped him. I says, "No," I says, "no unnecessary violence; his lordship 'ull do what's right and square. Let's act judicial," says I.

Mr. J. G. You insolent blackguard! Not so long ago you would all have swung for this.

Mr. W. S. [with a broad grin]. That job would a-suited you my lord. Don't I see you at it, rolling it out, "place from whence you came, proper place of execution," all the rest of it! I've heard you never take to your dinner so kindly as after a good hanging match. You a judge! Ugh! What was her blessed Majesty about? [Assumes an expression of intense disgust, and expectorates freely.]

Mr. J. G. I will not bandy words with you, you ruffian. Take what you want, and leave me.



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Mr. W. S. Easy does it, guv'nor. I'm a-going to 'ave a little talk to you—improve the shining hour, you know; and if you ain't civil, blowed if I don't pass the word, and we'll see how you like a dozen or so. Lord, I wonder at my own meekness, I do. But there, I always was tender-hearted. [Changes suddenly from banter to ferocity.] Look here, you bald-headed old viper, 'ow long have you been a judge? What! you won't answer? [Rises threateningly from his chair.]

Mr. J. G. [with an effort]. Nine years.

Mr. W. S. [producing a piece of rope, and tying knots in it abstractedly]. Yes, and you took to the work natural. You've never missed hanging your dozen a year; and as for the stretches you've ladled out, if you was to add them together, Methoosalum 'ud never see through it. I've a good mind to give you a dozen, I have. [Swings the rope meditatively.] Aint yer ashamed of yourself, you vindictive old sneak? [Pause and silence, during which Mr. Sikes mixes some more brandy and water.]

Mr. W. S. [continuing]. And you, too! you putting down crime! Why [with intense disgust] there wasn't a bigger rip than you about town, and I believe there ain't now. I know yer. I was in that little job at Brompton, I was—Linden Lodge. Yes, I see you remember. You was Mr. Serjeant Gripper then, and I owed you one, young as I was; and so, when we'd collared the swag, I stuck all

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your papers on the fire. Weren't you in a stew next day in court?

Mr. J. G. [viciously]. That was you, was it, you dog?

Mr. W. S. [slapping his leg]. Yes, guv'nor; and 'ere we are again. [Laughs.] Well, I never see a judge in a nightcap before. [Thoughtfully.] I should like to see it drawed a little lower down, and this 'ere bit 'o rope below it. [With sudden ferocity.] You hung my own uncle you did, you old butcher! a better man than you any day. His wife and children was fond of him, and that's more than you can say. And then you talked so precious big about gambling being the root of all evil. Why, I'm told you play higher than any of the nobs in your lot, and I seen yer with my own eyes plank-ing it down in fifties on the cloth at Doncaster. Ugh! I'd like to make yer get the proclamation against wice and immorality by heart, like the kids do their Catechism!

Mr. J. G. Have you finished, Sir?

Mr. W. S. I soon shall, my pippin. The best o' the swag's in the cart by this time. That's a nice watch o' yours [rising].

Mr. J. G. [with something like real dignity]. Leave that watch, you scoundrel!

Mr. W. S. [opening the case]. Guv you by Lady Gripper. Ha! Well, I can't 'elp it, although yer feelings does yer credit. You turned my uncle off, you know. [Attaches the watch to his waistcoat.]

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Studs, ah! and links. Now, just take off them rings, becos, if I have to help yer, I might hurt yer. [Looks about the room, restores its contents to the dressing bag, and snaps the lock.] I think that's all; them candlesticks are only plated. I don't want yer Lordship's letters [examining Mr. Justice Gripper's coat]. Yer ain't so much cash about yer as I could a-wished. Hows'ever [pocketing money and notes], every little helps. This yere's good gold, I'll lay [taking up set of artificial teeth]. You'll miss these yere over your toast this morning. Well, I must be a-going.

Mr. J. G. [retaining composure with great effort]. You shall pay for this yet, you impudent villain!

Mr. W. S. [menacingly]. Now, you just stow that bad language, 'cos I won't have it—not even from a judge. And you look 'ere [composes his face into an expression of mock judicial solemnity], Joseph Gripper, you're a man of desperate character. You're a bald-headed old sinner. You've gambled and you've rushed enough for a dozen. Yer never did a good turn to anybody in your life; and yer never will. There ain't a soul who knows you who don't wish you was dead. There's some of the judges [shaking his head profoundly], your companions in guilt—as try to be gentlemen in so far as their 'orrible course of life allows it. You've never tried to be a gentleman—it ain't in yer. How you come to be a judge I don't know. If you had your rights you'd be doing time. Don't get purple in the face,

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and don't shake your fist at the Court, or the Court'll be shaking its fist at you. Lord! I've heard you so often I can do the trick quite natural. Let to-night be a warning to you for the rest of your sinful old life, and be thankful the Court hasn't given yer three dozen. [Here Mr. Sikes lights a farewell cigar and becomes grave.] Look you here, Mr. Justice Gripper. When I was a boy, your father gave me a month for stealing apples. I wasn't twelve. I picked up in the Jug with a lot of fellows as was bigger than myself. When I came out, what was I to do? Nobody 'ud have a word to say to me. Then you prosecuted me at Quarter Sessions, and made it as hot as ever you could for me. Larceny of a coat it was, and I got eighteen months. Next time I see yer you was Recorder, and next time I see you yer was at the Old Bailey. I'm a thief, I know I am; but strike me blind if I ain't a better man than you are! I ain't so mean, I ain't so greedy, I ain't so spiteful and venomous, and I ain't such a liar: I'd scorn it. Now, I'm going to lock yer in, and I hope afore you die you'll have a wisit from my poore uncle's ghost, as you made so many jokes over. I see you a-grinning now, you old wolf. [Casts his eye round the room.] Nothing more. If you dare to make any noise or to open your mouth for the next ten minutes, I'll come back and stop it for you once and for all." [Blows out the candle, shuts the door after him, locks it on the outside, and descends the stairs.]

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The reflections of Mr. Justice Gripper are for some time not marked by that lucidity, logical precision and exactitude, nor have his ejaculations that dignity and felicitude of expression, upon which he has so often been complimented by the public press.

This story was some years afterwards dramatized by my dear friend and collaborator, the late Charles H. E. Brookfield and myself, and was first played at the Haymarket. Cyril Maude took the part of the judge and Brookfield that of the burglar. Both parts were admirably acted, and the little play was an immense success, as indeed it was at the Prince of Wales Theatre, to which it was subsequently transferred, and also at the Court, where it formed part of the triple bill, which consisted of *A Pantomime Rehearsal* and another piece—I think by Brandon Thomas. Here the Judge was played by Weedon Grossmith, and Brookfield still played the Burglar. It has also been one of the most popular short pieces with amateurs. Some of the most distinguished people in England have acted in it, including the late Duke of Westminster. His Grace took the part of the judge, and, I am told, made a great success.

Brookfield and I sold the amateur rights for what proved to be a quite insufficient sum, and I believe the firm of French have up to the present time made ten or twelve times as much money as they gave for them. However, a bargain is a bargain, and neither Brookfield nor I felt we had any cause to

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complain. I, for my part, can only say that my numerous transactions with the firm I have named have always been of a nature highly satisfactory to myself.

I was fortunate enough to be the first Englishman to have his work produced in Paris, and still more fortunate that this should have been done by the great Sarah Bernhardt. *As In a Looking Glass* was adapted by M. Pierre Berton, a leading actor and author in Paris, who generally played one of the principal parts in the plays in which Sarah Bernhardt used to appear, and Mrs. Vandervelde, a lady well known and much admired in diplomatic and literary circles.

Sarah produced the piece during the Exhibition year, 1889, at the Varieties, and ran it during the entire Exhibition. She afterwards played it at the Lyceum Theatre in London, opening to the magnificent house of £512 10s. Needless to say that the stalls were a guinea. On this occasion the *Times* was kind enough to say of me, "To Mr. Philips may be said to belong, therefore, the credit of paying back the first instalment of the debt which the English Stage has so long owed to the French. The drama of passion does not yet rank as an English product, but in 'As in a Looking Glass' and his kindred stories, Mr. Philips has handled with conspicuous success a subject which French writers have almost made their own. Having won his position as an English novelist, he has achieved



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the unprecedented distinction of furnishing the leading French actress of the day with the materials for one of her characteristic triumphs."

During the rehearsal of the play Sarah Bernhardt once asked me to call upon her at her hotel in the Boulevard Pereire. I knocked at the door, which was opened by a Patagonian manservant; a man nearly seven feet high. Sarah had brought him back with her after one of her tours in South America. The *salon* into which I was shown was without windows, but was lighted from the top, as in an artist's studio. The room was thoroughly characteristic, and contained many curious figures and bizarre knick-knacks; but the height of eccentricity was found in the right-hand corner in the shape of a huge cage rising from floor to ceiling which contained the great artist's young lions. When I had somewhat recovered from my first feeling of surprise at this singular development of drawing room decoration I approached the cage, which "Tigrette," Madame Bernhardt's tigress, had recently vacated, and which was now tenanted by a leonine brood, and stood watching intensely their gambols, not without some inward terrors and quaking of spirit. The bars of the cage seemed very slight; and the uncomfortable recollection suddenly dawned upon me that I had been told by Bedel, the famous *dompteur* that the large carnivora when reared in captivity are far more dangerous than their wild brethren. "Are they quiet?" I asked. "Oh yes," replied the Patagonian Hercules, "very

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quiet, especially Scarpia." This animal was named after the character Scarpia in Sardou's famous play *La Tosca*. Thus emboldened, I stretched out my hand to pat Scarpia's head, and was rewarded for my temerity by a savage snatch, which made me jump backwards with the agility of a pantomimist. "I thought you said they were quiet," I remarked to the giant, who was smilingly enjoying the scene. "Oh, yes, Sir, so they are, very quiet, that was only play when he grabbed at Monsieur!" Presently the Patagonian left the room, returning with a great bowl of milk. To unfasten the cages was the work of an instant, and before I could save myself by precipitate flight, the mad things were galloping all over the room, jumping from chair to divan and from divan to chair, dancing around me, crouching at my feet, as though meditating a spring at my throat, and then, to my unspeakable relief, dashing off again to the other end of the room where the milk awaited them. Madame not appearing, I took the advantage of a favourable moment to place the *salon* door between myself and these pretty creatures, whom I admired in the exact proportion to the distance which separated us. When I called at the Boulevard Pereire a few days later, I found that the lions, which had sadly mauled another individual in the interval, had been removed and that their place was taken by between two and three hundred coloured birds, whose warbles and chatterings made it almost impossible to hear oneself speak.



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I recollect going down to Cauterets in the Pyrenees to see Sarah Bernhardt, when she was about to appear as Lena in *As In a Looking Glass* in Paris. One day, after lunch, Sarah, Damala her husband, who was then alive, her niece and namesake, Sarah Bernhardt, and my friend Pierre Berton, one of the adapters of the play, and myself drove up a mountain to some lead works owned by an English company. We alighted at the business portion of the place. Stretched across from there to the mine itself was a single wire, and the work-people had to be conveyed from there in a small basket. The wire in question was stretched over a chasm from two to three thousand feet deep. Sarah, wishing to inspect the mine, nothing daunted, jumped into the basket, was taken across, and shortly afterwards returned in the same way. Poor Pierre, who did not like the business at all, accompanied by the young Sarah Bernhardt followed Sarah's example, and came back safely, looking as white as a sheet. Damala and I, however, were not to be tempted, and preferred to remain on terra firma. Sarah told me afterwards that one of her favourite sensations was a sense of danger or peril, and that when she had an opportunity of experiencing these feelings she rarely ever failed to indulge in it. A very marvellous woman indeed!

The last scene of *As In a Looking Glass* as acted by Sarah Bernhardt differed materially from it as played by Mrs. Bernard-Becre. I am alluding

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to the death scene. Mrs. Beere died from an irritant poison, such as strychnine, and I must say that it was one of the most effective deaths that I ever saw on the stage. The way Mrs. Beere arched her back over the sofa when in the agonies of death nearly made one's heart stop beating. Sarah Bernhardt, on the other hand, died from a narcotic, just as Lena Despard in the book. It was most touching to see her, when near her death, raising her poor hands to the mantelpiece in the vain attempt to take her husband's portrait and kiss it for the last time. On the first night of the production I had the next box to that occupied by Alexandre Dumas, and it was a sight to see that *rusé* man of the theatre, for whom one would have thought that the stage had no illusions, almost convulsed to tears at Sarah's touching death. Sarah had introduced me to Alexandre Dumas during the rehearsals at the Varieties, and a more charming and delightful man I have never met.

The late King Edward, then the Prince of Wales, and the late King of Denmark were present on the first night of the production in London, and his Majesty and the Queen also attended the French version of the play when Madame Bernhardt produced it at the Lyceum.

About this period, in collaboration with that brilliant author Percy Fendall, I wrote a play called *Husband and Wife*. It having been refused by one management, we decided to give a matinée



*Photo*

*Nadar*

SARAH BERNHARDT



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at the Criterion Theatre. This was a great success, and within a few hours we received no less than five offers for its production. One of these was from Charles Hawtrey, and I need hardly say that that was the one we accepted. It was produced at the Comedy under his management. Through illness he was unable to play the leading part himself, but this was admirably acted by George Giddens. Miss Lottie Venne made a brilliant success in the piece, which, indeed, was splendidly played by all concerned, and ran for many months.

I wrote two other pieces with Brookfield, both of which were happily great successes. The first was *Godpapa*, which immediately followed *Husband and Wife*, and was also produced by Charles Hawtrey at the Comedy. Hawtrey accepted the piece the moment he read it, and it having been duly licensed by Mr. E. F. Piggott, the then Censor, it was put into rehearsal. During the rehearsals, Hawtrey had occasion to go to Paris for a couple of days, and on the first day of his absence, when Brookfield and I reached the theatre to attend the rehearsal, we were greeted by Mr. Bradley, the acting-manager, who produced a telegram he had received from the Lord Chamberlain's office, which ran thus: "Licence for *Godpapa* absolutely and unconditionally withdrawn."

Brookfield and I thereupon decided to dismiss the rehearsal, and jumping into a hansom at once drove to Mr. Piggott's address in Oxford Street. We

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found him at home, and there upon his table was the manuscript of the play. I knew Piggott extremely well, as we constantly dined together at the house of Madame Vandervelde, the lady who, together with Pierre Berton, was one of the adapters of "As In a Looking Glass" into French for Madame Sarah Bernhardt.

"What is the meaning of this telegram, Piggott?" I asked him.

"My dear fellow," he replied, "you two must have done this play with your tongues in your cheeks. It will never do for the English stage. It probably would be tolerated in Paris, and indeed might make a great success there, but it never can be licensed here."

"Well, you did license it," I said, "and it has been in rehearsal for nearly a fortnight before you have revoked your licence. Tell Brookfield and myself what it is you object to in the play, and we will alter anything you please."

"No," he said, "my decision is irrevocable."

And so it was on that occasion, for though we stayed with him for nearly an hour, he was adamant, and we had to go sorrowfully away. But on Hawtrey's return he put a very different complexion upon the affair. He knew Piggott, who had been a pupil of his father at Eton, very well, and what is more, he knew exactly how to talk to him. Now Piggott had objected to a line in a play that was produced at the Comedy a short time before *God-*

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*papa*, and instead of writing to Hawtrey, the manager of the theatre, upon the subject, he wrote to one of the company. Hawtrey knew this, and decided to carry the war into the enemy's camp. "I have a bone to pick with you, Piggott," he said. "You objected to a line in *Jane*, and instead of writing to me as you ought to have done, you wrote to one of the company, and so belittled me."

"My dear Charles," Piggott said, "I wouldn't have offended you for the world. I had no idea you would have objected to it."

"That's all very well," said Hawtrey. "And now when you have licensed a play which I am producing, and after I have expended a large sum of money upon the scenery and upon advertisements, you withdraw your licence without giving any valid reason for it. Now, you mustn't do this. Dine with me to-night, and we will go through the play together, and anything you object to we will alter; but I won't let you ruin me, neither do I believe you wish to do so. But you undoubtedly will do so if you stop this play."

Hawtrey carried his point. Piggott dined with him. I do not think a word was altered, and the play was produced, and Hawtrey and Miss Lottie Venne achieved splendid triumphs. So successful was the play that on the fifth Saturday of its production it played to £170 in the morning and £212 19s. at night, at that time the largest amount ever having been taken in one day at the Comedy Theatre.



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During the rehearsals I recollect that Hawtrey objected to the length of a soliloquy he had to speak in the first act. He asked me to cut it down as he was certain the audience would not stand a soliloquy of that length. I told him that he could do anything else he liked about the piece, but that I would not have a line taken out of the soliloquy. He said that I was very unwise, but that as I rarely interfered with his judgment it could remain as it was. My view proved to be the correct one, for on the first night the audience purred with laughter throughout the entire soliloquy, and, indeed, were only sorry when it came to an end. Hawtrey lately being asked to speak into a gramophone chose the soliloquy in question for that purpose.

The other play I wrote with Brookfield was *A Woman's Reason*, and it was produced by Messrs. Lewis Waller and Morell at the Shaftesbury Theatre. It had a magnificent cast, including Lewis Waller, who played the hero; Lady Tree, who played the heroine; the late Charles Coghlan, who played the villain; Charles Brookfield himself, Miss Maude Millett, and that famous old actor Kemble, and a simply admirable boy of ten or twelve years of age, whose name was Stuart Dawson. I recollect that it was produced on December 27, and Clement Scott in his criticism of the play in the *Daily Telegraph* said: "This is the best play that has been written in this year, and it is the best acted." Modesty forbids me to say that it was the best play written



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in the year, but I feel certain it was the best acted. Each of the artists was absolutely at his or her best, and no dramatists have ever had to be more grateful to their exponents than had Brookfield and myself on that occasion. The rest of the London newspapers told the same story. The play was a great success both in London and in those provincial towns to which Lewis Waller afterwards took it.

I will tell an amusing story about Brookfield, which took place during the run of the piece. I do not think it has ever been told before in print. Brookfield had an account with his butcher of some £30, which he had overlooked. The butcher eventually sued him and obtained judgment, but Brookfield, who, like many of us, was sometimes a little careless in these matters, paid no attention to the process with which he was served. After the butcher had become a judgment creditor he took out a judgment summons and obtained an order for the payment of the money or Brookfield's committal to prison. One night, after the play was over, and Brookfield was going out of the stage door, he was confronted with the butcher and a bailiff. The latter informed him that he must pay the money or else go with him. Providentially, the acting-manager had not left the theatre, and apart from other considerations, as Brookfield was earning a large salary, and, in addition, receiving £90 or a £100 a week for his share of the royalties, there was not much difficulty in obtaining the money.

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"I am very sorry, Mr. Brookfield, for this," said the butcher, "but the fact is, you utterly ignored me, and I suppose I lost my temper."

"You are entirely in the right, and it is I who again am in the wrong," said Brookfield, handing over the amount, which was all in sovereigns. He added, "Of course, I know perfectly well that I ought to have paid you in Australians."

This, I think, is a good specimen of my poor friend's subtle wit.

## CHAPTER IV

Some secrets of theatrical management : Leasing the theatre : The salaries : The acting-manager : The essential qualities of an acting-manager : Theatrical advertising : The public taste : The dramatic author : Some successful dramatists : The rewards of success : Dramatic critics : "Free admissions" : The relations between the manager and his authors and actors : Beset with difficulties : Robert Emery : "It might have been worse" : The attraction of the stage as a profession : Oscar Wilde and an American hostess : "Duchess or Darling" : Barrymore : A "Wild West" story.

IN these days there is more of interest, more of curiosity about the stage, than there has ever been for seventy years at least. Not much, however, is known to the outer world about the interior detail and economy of the theatre, and, as an old lessee, I propose to offer to my readers a little information upon these matters.

To begin with, a few paragraphs about the regular weekly expenses of a theatre may be interesting. There is not, I believe, a theatre in London which is worked by the actual freeholder. Theatres, like corner houses, are very valuable properties, and I am persuaded that a man with money might do much worse than go about London acquiring

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freehold and leasehold interests in corner houses. The owner of a theatre may always be certain of his money. Usually between the freeholder and the actual lessee there will be one or two intermediaries. You take a lease of a theatre from the freeholder, and you grant a sub-lease at a profit rental to another man, who, in his turn, very often sublets it to somebody else. Large profits are occasionally made in this way by speculators who know nothing of theatrical management and care less. For unless your lessee runs away (in which case there is always another to be found) the rent of a theatre is a certainty, more especially so as in the vast majority of cases it is payable in advance. There is not too much of credit giving in the theatrical world. The rent of London theatres, of course, varies according to the capacity, situation, reputation, and history. But for a theatre of an average size in a good position at the West-End the lessee who is actually working it will have to pay about £6000 a year. In my time, forty years ago, things were very different, and I paid the freeholder less than £3000 a year for the Globe Theatre. Some landlords make a vigorous attempt to saddle the lessee with the rates and taxes, which, I should think, at the very least would come to about £600. The electric light he would certainly have to pay for.

I next come to the salaries. Obviously no rule can be laid down as to the stipends drawn by actors and actresses. Everything depends upon their

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reputation in each case and upon the fashion of the day. As a rule I consider that they are overpaid in these times. I know one actor who, twenty years ago, was glad of £5 or £6 a week. He is a very good actor in his own peculiar line, but he has not improved in the least, and yet he now commands from £30 to £40 a week. It must be allowed that the public are very fond of him, or there would be no such advance in his salary. But if actors are overpaid they are not so fortunate in that respect as an average singer, whether at the opera or at the music-hall. The enormous gains of opera singers of the first class are no secret to the public, and it is also well known that many music-hall singers can earn as much as £200 a week, twice the income of a Prime Minister. When they go to America they earn a great deal more, and I believe that Harry Lauder's salary the last time he visited the United States was £1000 a week for ten weeks. Some places require, of course, a larger company than others, therefore no estimate of the cost of salaries can be given, even approximately. Very often the lessee is an actor-manager and acts himself, or his wife acts, or other of his relatives are members of the company, in which case money may be saved in outgoings, at any rate. It may be said, however, that on the whole a manager will be very fortunate if his salaries do not exceed £250 a week for comedy or drama, or more than double that amount for musical comedy. There is a vast difference in

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the rate of individual salaries. A popular prima donna in musical comedy can easily command £100 a week. A leading comedy actress is worth from £50 to £60, according to her ability and popularity. The leading actor is fortunate if he gets from £40 to £50; as a rule he has to be content with less. On the stage, as elsewhere, it is not the highest kind of work that is the best paid. As for the drudges, the banner bearers, the members of the chorus, they have to put up with a scale price which may vary from 1s. 6d. a night (the usual stipend of a super) to 30s. a week, which is the average salary of an efficient chorister. For your carpenters, scene-shifters, property men, gasmen, and limelight men you usually contract. There are speculative master carpenters and machinists who will regularly make a bargain with you for so much a week, and such arrangements are generally advantageous to both parties. The speculator makes his profit, and the manager is saved an infinity of trouble. As a rule the band is provided in the same manner. It will cost about £25 a week for comedy and the drama, and from £60 for musical comedy. This does not, of course, include the salary of the chefs d'orchestre, many of whom receive very high remuneration.

For business calculations the theatre is divided into halves. There is behind the curtain, and there is the front of the house. For the front of the house an acting-manager is needed. The duties of

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the acting-manager are many and various. He is usually treasurer, looks after the receipts, pays the salaries and disbursements, makes the contracts for advertising and printing, and exercises a general supervision over the money-takers, the check-takers and attendants. He has absolute discretion as to the free list, and must know thoroughly whom to admit without question and when to distribute gratuitous orders. He is above all things a man of business. It is not at all necessary that he should take the least interest in the drama ; in point of fact he will probably be the better for being devoid of all dramatic prepossessions.

Acting-managers are not made, they are born. Place the born acting-manager in any station of life you please and he will invariably find himself in his true position before long.

Taking seven well-known acting-managers that I knew in my time, one of them had been a photographer, another a banker's clerk, another a captain in a crack cavalry regiment, another the brother of a popular actress, another the son of one of our most eminent actors, another a solicitor's clerk, and another a man of good family and the son of a county member.

Whatever his origin, two qualities are essential in the acting-manager. He must be inexorable in matters of business, he must also have what is called a good address, and he must know whom to conciliate and how to do it. Another most important



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function of his is to make explanations; a very delicate job sometimes both as a matter of morals and of address. The acting-manager is the ambassador and plenipotentiary of the house. He has to invent excuses with which to pacify everybody, from the Lord Chamberlain and his officials and dignitaries downwards. His personal attendance at the theatre will occupy him almost incessantly. No man is harder worked, and his £10 or £15 a week very inadequately remunerates his services.

I will now take the only remaining item of expense that at present occurs to me—printing and posting and advertising in its various forms. I will put it down at from £120 to £150 a week.

You must have a box-office keeper, a house-keeper, a stage-door keeper, a fireman and two or three policemen, and a certain number of hewers of wood and drawers of water. There must be money-takers and check-takers. These used to be paid at a fixed wage of about twelve shillings a week, but I believe they now receive considerably more.

When you have made all these arrangements your theatre is in working order both behind the curtain and in front of the house and you can calculate your weekly expenses within a few pounds. Much trouble will be saved by the sub-contracts to which I have already alluded and much more will be saved by the tact and skill of your acting-manager if he is really a skilful fellow.



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I have said nothing as yet of what it will cost to mount a piece, that is to find the necessary scenery, stage furniture, property, and dresses. So far I have confined myself to the actual outgoings and the items which must be paid as regularly as your King's taxes.

Let me add that there is a cheerful side to the otherwise terrible picture represented by the foregoing figures. When a theatre is well managed and the lessee enjoys a fair share of luck it pays as well as any other speculative investment and better than most.

I will defy anybody to explain how it is that some pieces have a run and others are played at a loss, or have to be withdrawn. The thing is inexplicable. The late Mr. T. W. Robertson went about for years trying to plant *Society* and not a manager would look at it. When he got it produced at last it made his own fortune and that of the theatre. It shows that even managers cannot tell whether a piece will take or whether it will fall flat. I know that when *The Bells* was produced at the Lyceum, those who were most directly interested in its success, including Colonel Bateman himself, were extremely anxious and doubtful as to the result. Nobody, again, could have foretold such runs as those of *Our Boys*, the *Private Secretary*, *Les Cloches de Corneville*, and *Charley's Aunt*. There is absolutely no accounting for public taste. I have recently known a play fall perfectly flat at one theatre and seen it produced at another and

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draw crowded houses. I had many years of experience as a theatrical manager and I confess myself unable to state why some pieces hit the public taste and others fail. I could give an opinion, but it would be only an opinion, and would not be very complimentary to the public.

I am certain that London playgoers never trouble themselves about dramatic literature. Nine out of ten cannot tell you by whom the play they go to see was written and generally do not know one dramatic author's style from another. This is not the case in Paris, where dramatic writers are as well known and as much discussed as novelists are in England, if not more so.

A question often asked is what price a dramatic author usually gets for a good play. We have heard of dramatic authors who have amassed, not what in these days would be called a fortune, but capital enough for a comfortable independence. There are probably not more than six dramatic authors in England who could be called rich. However, let me say once and for all that I have no intention of criticizing dramatic work; I am simply concerned with dramatic productions from the point of view of a lessee.

There is an idea about that any man can write a play if he has what is called the requisite "ability." This is true, but then, the whole secret of the phrase lies in the meaning to be attached to the word "requisite." Most young men fresh from Cambridge

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believe themselves fit to produce a book that shall settle once and for all the great secret of existence. Many a young lady is certain that if she liked she could write a novel. So there are numbers of people about who believe that they can write plays. There could not be a greater mistake. Peculiar qualities are needed to make a dramatist. To say that he must be able to devise a telling plot and to cut it up into acts and scenes and to sustain the interest throughout and to dispense with unnecessary characters and to avoid padding is to state the mere **A B C** of the art. Nor are any of these requisites strictly essential. In many of our best plays the plot is very thin, while in others there is a great deal of by-play which really amounts to padding. Let us take some of our great novelists. Dickens, Thackeray, Anthony Trollope, all knew better than to endeavour to write for the stage, or they tried and failed. Lord Lytton is supposed to be an exception, but his work was done under the eyes of Macready. No novels are more dramatic than those of the late Wilkie Collins, but it cannot be said that his plays were successful, and the last one which was produced at the Adelphi had to be promptly withdrawn. The late Charles Reade had his dramatic successes, but they were nothing compared with his toils. There are two notable exceptions, those of Sir James Barrie and Arnold Bennett, who have achieved the highest distinction both as novelists and as dramatists.

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I think it will be found that the most successful dramatic writers have been in some way or other familiar with the stage from early life and have been perpetually either behind the scenes or in front of the house. T. W. Robertson, for instance, was the son of a provincial actor, and the eldest of twenty-one children, all of whom were more or less connected with the stage, and of whom the youngest is Mrs. Kendal. Mr. Boucicault was not only a dramatist, but also an actor-manager. Writers with such an experience as his, know all the tricks of the stage. They know, for instance, how to raise the curtain, and what is of far more importance, how to bring it down. Your opening scene must at once arrest the attention. Shakespeare (who was an actor) well understood this, as he has shown us in *Othello* and in *Hamlet*. The tableau, again, to which the curtain finally falls is, both in *Othello* and *Hamlet* something wonderful. It is hardly to be expected that a man could arrange such groups unless he had been familiar with the stage for years. Men of quick minds and exceptional ability may acquire this knowledge for themselves by a course of theatre-going. So a war correspondent can acquire a certain knowledge of military tactics, or a yachtsman of navigation.

Certainly some of the most successful dramatists of recent years have been T. W. Robertson, Dion Boucicault, H. J. Byron, Arthur Pinero, G. R. Sims,

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Haddon Chambers, Stanley Houghton, and James Barrie, and of these, the four last are, I believe, the only ones who have not somehow or other been connected with the stage from their earliest days.

Having said what I believe to be the requisite abilities, let me go on to say what sort of an income a dramatic author can make. In Paris there is always a fixed scale. The author receives as a rule a tenth of the gross takings, and is thus a partner in the management without risk. In England he sometimes receives a lump sum down and so much a night for each performance. In these days most leading dramatists receive 10 per cent. of the gross receipts in London and 5 per cent. in the Provinces. No average price can be stated for a play any more than for a novel. The man who has written a good play, or a couple of good plays, can almost command his own terms. I have heard that Pinero gets 15 per cent. of the gross receipts in London, and if he does he is certainly worth it. "Lothair" and "Endymion" are admittedly inferior to "Coningsby" and "Henrietta Temple" but much more money was made by Beaconsfield by the latter than by the former novels. If you are a playwright and your London piece is a success, you can make your own arrangements for the Provinces, for America and for the Colonies.

Sometimes these arrangements are unskilful. We all know what an immense success H. J.

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Byron's *Our Boys* was in London, where it was produced at the Vaudeville. Byron sold the provincial rights of this famous comedy to Mr. Duck, the lessee of the Bath Theatre, out and out for £700. The fortunate purchaser cleared over £80,000 by the transaction, and afterwards became a large landed proprietor. Every dramatist who devotes himself entirely to his art (and very few dramatists succeed who do not do so) needs an acute adviser to make his copyrights secure and a shrewd agent—an absolutely inexorable “Jorkins”—to conduct his financial negotiations. If thus aided, he can make a fine income and ought to be able to save a large sum of money. It is impossible to give exact figures. Speaking in ignorance I should say that Martin Tupper made more out of his “Proverbial Philosophy” than did Bishop Colenso out of his Arithmetic. But no one can tell. For one comedy I know the whole rights were offered for £100. This was thought too much, £80 were bid for the play and refused by the author. Two or three days afterwards he got his price and a royalty per night in addition. The play ran in London for about four hundred nights and was afterwards produced in the Provinces. The lessee cleared nearly £20,000 and the author must have made at least £1500 out of a piece which he was willing to sell for £100.

I should say that a dramatist who knows his craft and sticks to it and does not live extravagantly,



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and has his business affairs well looked after for him, ought to be able to live at the average rate of £200 a month, and to die, after an ordinary tenure of his life and profession, worth £30,000 or £40,000. But you can no more predict the exact chance of a dramatist or the exact circumstances that influence his career than you can attempt the same for a King's Counsel or for a physician.

Man is the sport of circumstances, when  
The circumstances seem the sport of men.

As to dramatic critics I wish to speak with all respect, but at the same time, I cannot but think that the majority of managers hold them in unnecessary dread. My own opinion, briefly put, is that no critic, or combination of critics, can make a bad play into a success, or ruin a piece that deserves to succeed.

I do not mean to say that friendly criticism is not an advantage; on the contrary it is very valuable. I do not mean to say that hostile criticism is of no consequence; for a week or two it may do a great deal of harm. But I say that some dramatic critics over-estimate their influence upon the public judgment, and I say also that managers too often show these gentlemen needless deference. My own experience is that they are not very difficult to deal with. I do not wish to impute anything in the slightest degree dishonourable to either side, but there are ways of managing men, especially when you know their weak points. Dramatic critics are

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but mortal, and they are as fond and as convinced of their own importance as are any of the actors and actresses upon whose performances they pronounce judgment. Therefore, I would say, without any particular instance present to my mind, that the existing relations between the dramatic critic on the one hand and the lessees and actors on the other are not always satisfactory. A dramatic critic ought to have no personal connexion with the stage. He ought not to have relatives in the profession, he ought not to write plays himself, and he certainly ought not to play the part of a theatrical agent and introduce young and promising talent to managerial notice. I confess that whenever I have been managing a theatre I have always made it a point to conciliate the critics, especially by little attentions. I know them to be a *genus irritabile*. But then I know that how to fill the house more than anything else is for people to go away and tell their friends to come. This is what the late John Holingshead, a manager of great experience, told me once, and he was right. Let me add, that there are in London, and always have been, dramatic critics who are learned, judicious, and careful to avoid even a suspicion of direct personal connexion with the stage.

I will now turn to another point. I mean the distribution of paper, or free admissions. It is impossible to explain how this should best be done. To understand the business is to know how to feel



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the pulse of the public. Free admissions are occasionally the best advertisements, and it may pay you in the long run to fill your house with paper for a week or even more, and to turn away good money from the doors. I know at least two pieces, the success of which was assured in this way, pieces which would have otherwise been undeservedly "frosts." The second night of a piece is what mechanical engineers call a "dead point," and theatrical managers a "lull." People have either been to the first night, or else are waiting to hear what other people have to say. If you are a wise lessee you will fill your house with paper on the second night from top to bottom. Free admissions, in short, are the manager's fly-wheel. They create the impression of a house that is uniformly and steadily filled. People are never so anxious to see a piece as when they believe there is some chance of their not being able to get into the theatre. Were I managing a theatre now I think I would consult the weather forecasts and take care to have plenty of paper out on bad evenings. Seriously—a half-empty house creates a bad impression, and is a thing to be avoided, even if you have to hand out paper in excess and occasionally refuse money. But you must not only know when to use your paper, you must also know where to plant it judiciously so that it will be used by the right sort of people. I will give one illustration. If you give twenty seats to the chief cashier of a

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large bank, he becomes at once a very important person, and you make a valuable friend. He distributes the orders amongst his juniors. Most of them live in the suburbs, and a suburban audience is a good one to get. Your pit and gallery orders you can similarly utilize at the big houses with which you deal. That particular class of theatre-goer who spends the day in trying to get a free seat for the evening is the worst kind of dead-head you can encourage. He never pays himself, he always grumbles, and he never brings anybody else.

Among the chief difficulties of a theatrical manager, there are none to be at all compared with those which beset his relations with his dramatic author and his principal actors. Nobody who has not actually tried the business could have the least idea of the infinite accumulations and concretions of worry through which a manager has to find his way. I do not wish to say anything that may seem even remotely unkind, but as a matter of fact I believe that successful actors and dramatic authors are generally vain and have exaggerated ideas of their own importance. Let us take, with all respect for him, the case of a very prominent dramatic writer, who is a man of most exceptional ability, but his success has made him overbearing, and most managers find that they must submit to his dictation. Now, however great may be this gentleman's abilities, I do not myself feel inclined to place him on the same line as Shakespeare, or

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Molière, or Sheridan. I should hardly range him with Sardou or the younger Dumas, yet he is so entirely satisfied with his own work that the manager finds himself nowhere. I know of a comedy which he once wrote, which was a dead failure. He would not allow the manager even the least suggestion ; he refused to discuss the slightest point with the actors ; he had everything his own way ; and he had only himself to blame for the disastrous result.

Here, then, is an instance of a piece which failed because the author, confident in the strength of his position and reputation, insisted on taking everything into his own hands. But the fault is not always on the author's side. I have to confess that I have known a manager spoil a good piece by a good author. The one, like Mr. Crummles, insisted upon the pump and the tubs, and the other yielded. Some of the most successful pieces have been those which the author has written and handed in and never afterwards troubled himself about. The manager, knowing his author and trusting him, has been equally indolent, and the actors have settled the business of their parts among themselves, and have either rewritten whole scenes or made considerable changes. I have several instances of this sort in my mind, and to my knowledge some of the most successful pieces that have held the London stage were never rehearsed in the presence of their authors. The manager, sometimes doubtful as to the worth of the piece, takes little or no trouble

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with its production, and probably no one is more greatly surprised than himself when the play secures an enormous success.

The difficulties of a manager with his actors are almost as perplexing as those with his author. Sometimes a set of circumstances crops up, under which one particular actor or actress becomes absolutely essential to the management of the house. An actor of this kind is apt to insist that the piece shall be written almost to his own order, to chop and alter the other parts and even to interfere with the cast, all this being done under the threat that unless he has his own way he will throw up his part and go elsewhere. So it happens that there is often a more or less triangular duel between the dramatic author, the manager and the company.

The most fortunate manager of all is he who can get a good play from an author devoid of personal vanity and who has sufficient confidence in his company and his stage-manager to know that his own interference is unnecessary. Few managers, however, are thus blessed. There are certain theatres, no doubt, where everything runs smoothly, and the company at last becomes almost a family party. It is notorious, for instance, that under the management of the late Sir Henry Irving there was always at the Lyceum an amount of harmony—enthusiasm indeed—among the members of his company that contributed very largely to the success of the theatre.

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But, as I have already stated, the acting-manager is the lessee's right-hand. He is the Lord Chamberlain, the keeper of his conscience, the Chancellor of the Exchequer, the Keeper of his Privy Purse, and his last resource in every difficulty. If the dramatic author is obstinate and gives himself airs, if the members of the company fall out with each other, or if the leading lady is dissatisfied with her part, the acting-manager is present to put matters right.

With an efficient acting-manager you need have no difficulties, and I feel bound to say that, taking London acting-managers as a class, I know no body of men more shrewd or better educated in their own particular business, or more energetic and loyal. Your acting-manager is a sort of pivot or main bearing upon whom the whole mechanism of the house revolves.

His services are not in the least understood by the public at large, but they are in reality as essential to the success of the theatre as those of any of the leading actors. I, for my part, possessed a treasure of this kind, and the successes I made at the Globe Theatre were in a great measure due to my dear friend, the late Robert Emery.

This, by the way, reminds me of a good story told me by Emery, concerning a Scotsman who had a persistent habit of saying, "Ah, well, it might have been worse," when he was told of anything dreadful that had happened. On one occasion a friend of his stopped him in the street and said excitedly, "I say,

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have you heard the news about Robinson?" "No," replied the Scotsman, "what's he been up to?" "Why, I hear he came home unexpectedly on Friday night, found his wife in a compromising position with her doctor, and shot them both." To the great surprise of his friend, the Scotsman did not make his usual comment, so after a second or two the friend observed :

"Well, I suppose you can't say this time that it might have been worse."

"Oh, yes, I do," answered the Scotsman, "I was just thinking that if Robinson had come home on Thursday night instead of Friday, he might have shot me."

In conclusion, I should say that a manager in choosing a piece has only two courses open to him. He may call in the services of a writer who has made his mark ; in this case he will probably have to pay a high price and to submit to an almost intolerable amount of dictation and patronage. On the other hand, he may take a piece from an altogether unknown writer and find it a brilliant success.

The number of pieces submitted to a manager in the course of a year is simply incredible. It would take him more than the whole of his time to glance at the half of them. I think it was Sydney Smith who said that every man in his own heart believed himself capable of writing a play ; and some of the plays with which managers are pelted are so bad and utterly unactable that I can hardly



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think of them with patience. The best known authors, however, do not always write the best plays. Some of the most successful have been written by men altogether unknown, and of late years we have had many remarkable instances of this, which goes to show that I am right.

It is often asked of actors and actresses why they have taken to the stage as a profession. As far as my own experience has gone you may really put them into three great divisions. Some men are born for the stage. You cannot keep them from it. They are like the story-book little boy, who born a hundred miles from the sea insists upon running away from school to commence life as a stowaway or apprentice, and comes back the captain of a man-of-war. That there are men with an irresistible dramatic bent no one acquainted with the stage can doubt. One of our best tragedians, Samuel Phelps, had a brother who was first Fellow and Tutor and afterward Master of a College at Cambridge. Here was a man who took to the stage in the same manner as a duckling hatched under a hen takes to the water. He could not be kept from it.

I have no wish to attempt anything like criticism upon the merits of any gentleman or lady of the profession. Actors and actresses are extremely touchy, and I doubt whether any one of them would value my opinion. I could easily give the names of at least half a dozen actors and as many actresses



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who, in my opinion, were so constituted from their birth—or even before, for aught I know—that they would have found their way on to the boards, whatever position in life they might have been placed in to begin with.

Another class of actors and actresses take to the stage as some painters take to the studio—because they have been brought up to it. Their fathers were provincial managers, or actors, or acting-managers, or scenic artists, or dramatists; and they are as familiar with the theatre and all its details as the children of the harbour master are with ships. Scenery, properties, dresses, and other such things have no mystery for them; they have seen the play over and over again from the wings; so that somehow they take to the stage as a matter of course; and what is more they usually commence somewhat early in life. Mrs. Kendal and the late Sir Augustus Harris are cases in point. The father of Sir Augustus Harris was the lessee of Covent Garden; and Mrs. Kendal is the daughter of a gentleman who acted with success in the Provinces and thoroughly trained her in her profession. Actors and actresses of this kind are, for a manager, the best of all. They know their work thoroughly, they are seldom capricious; they have a sort of freemasonry about them; and they are very serviceable, being able to take a great variety of parts and willing to sink their own individuality for the good of the house, or for the advancement of

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their own prospects. The old circuits, as they were called, were nurseries for actors of this kind, and when they had made their mark in the Provinces London managers used to look out for them. Indeed the stage has lost a good deal by the disappearance of the old circuits and the stock companies in the provincial theatres and the substitution of starring companies. On the old circuits you got good workmanlike acting that was in its way very telling and effective. Actors of this type rarely made any pretence to genius, though they may have had a good opinion of themselves; and they had to play so many parts in the course of the year that they were often wanting in finish. It frequently happens in these days that a London actor has only to play one part during a year; and naturally plays it very perfectly unless he goes out of his way to spoil it by giving way to exaggerations or "gags." Old country actors were, for the reason I have given, unable to put on this gloss.

Lastly, there are actors and actresses who seldom make any mark but who have taken to the stage out of laziness and personal vanity. They have a presentable appearance, and sufficient assurance to get through their work without any patent blunder. The life is tolerably easy. It suits them, and they probably do as well at it as they would do at anything else. Actors of this kind come from every section of the community and have, as it were, gravitated to the stage instead of fighting

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their way to it. Bernardo, or Marcellus, or Rosen-  
crantz or Guilderstern may have been a banker's  
son or a banker's clerk, or an usher in a com-  
mercial academy, or an ex-officer in the Army, or a  
linen-draper's assistant. Fifty shillings a week is  
all that he wants, and he is perfectly happy upon it.  
Actresses of the same kind come from almost every  
rank of society. One day a manager will be  
besieged by a lady of education and position who  
has quarrelled with her husband and thinks she  
could play Portia in *The Merchant of Venice* or  
Pauline in *The Lady of Lyons*. The next ap-  
plicant will probably be a governess; good look-  
ing, and with a fair voice, but who has somehow  
got into trouble. The next will as likely as not be  
an ambitious parlourmaid who wants very parti-  
cularly to play Esmeralda in *Notre Dame*. And  
this leads me to another point. An immense  
amount has of late been written—much of it  
very needlessly and uselessly—about the social  
position of actors and actresses. Well, actors are  
not rogues and vagabonds. They make comfortable  
incomes. They live in some fashionable parts of  
the town, and not a few of them keep manservants  
and motors. Any comparison with the stage as it  
is, with the stage as it was, is idle. We might as  
well compare Paternoster Row with Grub Street.  
The fact is that there are actors of every degree and  
kind, from the brother of the Peer to the grocer's  
young man; from the professional beauty to the

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maid-of-all-work ; it depends entirely upon the men and women themselves what their position in the world is to be. My observation is that any person of decent character and education who is earning £20 a week can make and keep as good a position in society as should content him or her. What is more, the world, as a rule, has a kindly feeling to actors and actresses and rather likes to make spoiled children of them. There is no disposition to ask disagreeable questions that I have ever heard of ; and actors and actresses of education, capable of playing leading parts, and otherwise holding high rank in their profession, can and do enter into society to find that they are cordially welcomed.

Serjeant Ballantine told me an amusing story of an old landlady of his at Croydon, who turned him out of his lodgings at an hour's notice because he invited Madame Titiens and some other friends to lunch. The good old woman, said the Serjeant, had a horror of plays and "play actresses."

Here are two stories, which Oscar Wilde used to tell regarding his American tour. As far as I know neither of them has yet appeared in print. Wilde was travelling in the southern States, through Virginia, if I recollect rightly. At that time there used to be a phrase constantly used by southerners when anything in their country was praised—"Oh, you ought to have seen it before the war!" Wilde was at a dinner-

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party one night and, after dinner, he and his hostess walked on to the balcony. Close to the house that he was visiting there was a very broad river, and the moon was shining on it, giving a very beautiful effect. Wilde remarked: "How magnificent that moon is, shining on the river; I don't think I have ever seen anything like it in my life!"—"Oh, Mr. Wilde," replied his hostess, "you ought to have seen it before the war!"

When Wilde returned to England he told the story of a Yankee who said to him one day: "It tickles me to death to know how you address a duchess when you want to speak to her. Say! Mr. Wilde, can you tell me?" "Oh, yes," answered Wilde, "you either call her Duchess, or else you call her Darling."

Before leaving the subject of the stage let me repeat, as nearly as I can, a tragic story told by the late Mr. Barrymore, of an experience of his when travelling in the United States.

They opened in New York and then, after a fortnight's good business, proceeded to Boston. From Boston they went to Chicago, and thence westward. Barrymore found the West a remarkable change from the States they had visited earlier; it was wilder, rougher, more the kind of thing he had expected of America generally before he started. He found at last the atmosphere of the revolver and the bowie-knife, as he had imagined it from Bret Harte's stories. He did not know that he liked it

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exactly, because a pair of fists are at a discount where "six-shooters" flourish, but it interested and, to a certain extent, amused him.

"And what do you think of America, Mr. Barrymore?" demanded the leading lady, who had been there before.

"It is a very original country," replied Barrymore. "And the drinks are above criticism."

The leading lady laughed. "You aren't afraid of being shot?"

"Shot!" he echoed, "why should I be shot? I am not of a quarrelsome disposition. I suppose a peaceful individual is as safe out here as in the Strand?"

"One reads things," said the manageress doubtfully. "Myself, I find New York good enough."

"Oh, come," he remonstrated, "you don't mean to tell me you are nervous? Why you *are* half American, aren't you? You belong to the stars and stripes?"

"Yes," she said, "but to the East! You Englishmen never learn to discriminate. The East is the East, and the West is the West; and the West and East are two very different things. Talking of drinks, I am awfully thirsty; I wonder when the next stoppage is?"

There was a low comedian in the company; he was a meek little man, whom the average schoolboy might have thrashed without distinction to himself; but he was as good-hearted a fellow as ever breathed,



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and a strong friendship sprang up between Barrymore and the little comedian in the course of the journey, a friendship composed of a genuine esteem on Barrymore's side and the warmest admiration on the part of the low comedian.

When the train stopped, the low comedian, who was the least bit on earth in danger of falling in love with his manageress, begged her to let him take her to the refreshment bar. Barrymore, who never poached, sauntered up the platform alone, and the low comedian and the star actress made their way to the shed—for it was little more—alone.

It was a typical station of the Western States. It looked like a few planks which had been dropped by accident, and not washed afterwards. There was no roof, and round about one beheld the rude signs of the neighbouring "stores"—"Try Hobbs' shoes," "Slugs for grocers," "Harry Barnes' liquor saloon."

Barrymore contemplated the place with curiosity. The platform was crowded. The passengers and the loafers who had dropped in to witness the arrival of the train were stumbling against each other at every step, and Barrymore was just endeavouring to find the elbow-room to strike a match for his cigar when he heard a violent exclamation which betokened a row.

Turning, he saw, to his dismay, that one of the disputants was the low comedian. A rough, unkempt American had evidently insulted the leading lady



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for her cavalier was gesticulating furiously, and the leading lady, with a face the colour of ashes, was endeavouring to appease him.

"This won't do," said Barrymore to himself. I think *I* am on in this scene!" and he strode in the direction of the trouble.

As he did so, the American drew out a revolver, levelled it at the low comedian's head—and fired. The poor little man dropped before his friend could reach the spot.

"Good God!" gasped Barrymore, thrusting himself into the group. "What is it?" "I guess he's dead," said a bystander coolly. "Oh, Mr. Barrymore; oh, Mr. Barrymore!" screamed the leading lady.

It was true. The low comedian was dead. All that could be done was to arrest his murderer. He had taken to his heels as he pulled the trigger. But these things take longer to write than they do to happen, and Barrymore had seized him before he had run fifty yards. He caught him by the throat and banged his head against the wall until the scoundrel fell from his grasp stunned.

There was a scene of the wildest confusion. To travel any farther that day was out of the question. The low comedian was dead; the leading lady was lying on a bench in a faint, and the other ladies of the Company were in various stages of hysterics. Then the police appeared and there were depositions to be taken. Barrymore beheld the callousness with

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which the matter was regarded, with disgust and fury. A man shot—brutally murdered—seemed an ordinary affair enough. A “drunk and incapable” charge was not accepted more lightly at Marlborough Street. The official who questioned the leading lady, when she had recovered her senses, chewed tobacco and spat the juice on the floor between his interrogatories.

Well, they had to continue their journey, and the poor dead fellow’s place in the company had to be filled ; but a couple of months afterwards it devolved upon the leading lady and Mr. Barrymore to return as witnesses at the trial of his murderer.

The judge was a one-armed man, whose non-chalance equalled that of the police officials at the time of the tragedy. The prisoner, who seemed to know he would not be convicted, gazed about the court indifferently, and the leading lady and Barrymore, scarcely able to conceal their indignation, looked at each other in helpless rage.

The judge found there was no evidence. He ordered the jury to acquit the prisoner, and the jury, without retiring, returned a verdict of “Not Guilty.” The proceedings thus terminated—their informality was as startling as the “justice” of them—and Barrymore and the manageress went back to their hotel to await the departure of their train. “Anything more infamous——!” panted the manageress ; and she burst into tears.

Barrymore answered nothing, but he wished that the judge had had his complement of arms that he

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might have broken *all* the bones in his body. In the bar downstairs he said as much half an hour later, adding that such a trial was a scandal and a disgrace, and that the judge ought to be kicked round his own court. He expressed himself, in fact, with such perfect freedom that he was advised, for his own sake, to be more guarded in his criticisms.

"I have seen you act, Mr. Barrymore," said one of the bar-loungers, "and I should be sorry for any harm to come to you. The judge has shot five men in the last three years for less than you are saying now. You had better be *keerful* sonny! The judge is a warm-tempered man."

Barrymore, however, was not disposed to suppress his opinions, and he continued to express them to an appreciative group till he was tired. He thought no more about the caution he had received until the manageress and he were at the station, on the point of stepping into the train. Then he heard some one speaking his name, and the next instant perceived the judge bearing down upon him. A negro had pointed him out. Barrymore was unarmed and he turned feeling that his last moment on earth had come.

"Mr. Barrymore, I believe?" demanded the judge.

"The same," said Barrymore.

"I heard you give your evidence to-day, Sir," said the judge. His hand slipped round to his pistol-pocket, and he whipped out a revolver. "I thought

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maybe you would like to keep the gun that shot your poor friend?"

"Thank you," murmured Barrymore, faintly; "it was a kind thought."

I think that the judge must have been surprised to see how white he had turned.

As for the moral atmosphere of the stage, people have been talking about it, and writing about it from the time of Plato until to-day, and the whole result of the discussion is most unprofitable. Nothing is ever settled by it, and it generally ends in personal recrimination. Neither the turf nor the card table would be selected as the school of morality in which to train a lad, and yet some of our most honourable gentlemen never miss a race meeting, if they can help it, and play heavily whenever they feel so disposed. I will offer no platitudes of my own to swell so fruitless a discussion.

Names such as those of Charles Kean, of Kemble, Phelps, Macready, Henry Irving, Herbert Tree, Charles Hawtrey, Charles Wyndham, George Alexander, and of some ladies whom I forbear to mention are sufficient; and if the list were increased to the dimensions of a biographical dictionary there are some people who would still ask for more.

## CHAPTER V

I embark in the legal profession : "Called" to the Bar : Some thoughts on the Bar as a profession : Two classes of successful barristers : Serjeant Wilkins : From clown to counsel : A brilliant advocate : How he turned a bad mistake to good account : Serjeant Ballantine does the same with great effect : Mr. Justice Maule : Some stories about him : Mr. Baron Martin : Congratulates a prisoner on his luck and gives him penal servitude for life : Four roads to success at the Bar : "A solicitor-ridden nation" : A witty retort from Sir Frank Lockwood : The pleasures and trials of a judge's life : The barrister's clerk : The Temple Laundress.

IN 1880 I decided to embark in the most perilous profession in the world and to join the Bar. I accordingly became a student of the Middle Temple, and was "called" in January 1884. The Bar at this moment is the most overstocked profession in England. The "Law List" comprises about two hundred and fifty pages of counsel entitled to practise at the English Bar, and each page contains on an average rather more than thirty names, thus yielding a grand total of more than seven thousand practitioners for England and those British possessions where English counsel have a right of audience. This total does not include the members

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of the Scotch Bar, or of the Irish Bar, or of the Bar of the Isle of Man. Most of our Colonies—all, in fact, where there is any business to be done—have, with the exception of India, a Bar of their own.

Any young man who thinks of being called with a view to making a fortune in the Colonies will make a great mistake. The Colonial Bar, even where it is open to English advocates, is almost entirely recruited by young men of local reputation. Perhaps there may be a few exceptions, such as Shanghai, but they are not worth taking into account. From this immense roll, however, considerable deductions must be made. The "Law List" of course attempts no such classification. A number of barristers have retired or have never practised at all. A number of others hold Government appointments. I have taken three pages of this terrible record haphazard, and I find that, out of a total of ninety-two names, thirty-nine hold themselves out as actually having chambers, and practising in London. Twenty-six more hold themselves out as practising in England, but not in London. The remainder we need not classify. Several of them do not practise at all. One old gentleman was called in 1850. Another is a Peer. Several are at the Indian or Colonial Bar, and four hold Government appointments as a Colonial Governor, a Colonial Judge, an Indian Government Advocate, and a Colonial Secretary respectively. But the broad fact remains that there are still out of this number thirty-nine who have

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chambers in London, set out their circuits, and the Courts in which they practise, and otherwise invite the patronage of solicitors. Taking, then, these three pages as giving a fair average of the "Law List," we find that there are in London at this moment over three thousand barristers who are practising, or making an attempt to practise, in the London Courts, who still have chambers and a clerk, and who are desperately clinging on.

Now a man has only to take up the *Daily Telegraph* and to look at the list of Law notices, and he will soon be able to judge for himself how much business there is to be divided amongst three thousand men. Taking the daily paper of the day upon which these lines are written, I find the following Courts to be sitting: The House of Lords, the Privy Council, two Courts of Appeal, six Courts in the Chancery Division, eight Courts in the King's Bench Division, two Courts of Probate and Divorce, the Court of Criminal Appeal, and the Bankruptcy Court; and that is all—unless we are to reckon the Central Criminal Court, and the County Courts, and Police Courts. Here is a field in which three thousand gentlemen are to earn, or expect to earn, a professional income.

One is astonished at first that so many men should be called to the Bar with a prospect so hopeless before them. Let us suppose that two million and a half of money is annually and honestly paid to counsel in London for their fees. The supposition



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is ridiculous, especially when one considers how small the fees of a young counsel are, and how very often solicitors forget to pay them. For my own part, I believe that half this amount—a million and a quarter of money—would be in excess, and very considerably in excess of the fees actually paid. If we take the larger estimate, it gives to every counsel, from the Attorney-General, and the recognized Chief of Parliamentary Committee, down to the most timid aspirant at the Sessions, an average income of a little over £800 a year. This, it must be remembered, is gross income, from which have to be deducted chamber expenses, purchase of law books, and various other items that give greater or lesser friction. But then as against this, it must be remembered that the leaders of the Bar make very large incomes. I doubt if at this moment there is any man who is making more than £20,000 a year. It is within my knowledge that the late Mr. Benjamin considered it a very good average year when he had cleared £15,000. But then in his latter days, an announcement appeared in his chambers in “Lambs-buildings,” that he would only attend the Privy Council, and the House of Lords. Thus, therefore, he lost many briefs that he would otherwise have received. There are many men at present, without mentioning names, who certainly make more than did Mr. Benjamin, who was not greedy over fees and would not take cases to which

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he could not attend. Other men are not so scrupulous, and I daresay there may be five and twenty counsel who are clearing from £10,000 to £20,000 a year. There are at least twice as many who will be making their £2000 to £10,000. If incomes of this kind were not to be made, few men of talent would go to the Bar at all. But a little moderate calculation will show that these seventy-five prosperous gentlemen earn nearly £700,000 a year to be deducted from the average of their struggling brethren.

These are dry figures, and I will try to be a little more explanatory. Practically, the greater men at the Bar make considerable incomes for which they work very hard. The smaller men for year after year make little or nothing at all, and are often absolutely out of pocket. Some of them have private means. Others are subsidized from home. Others make a little money by journalism, or reporting, or private tuition. They bear their sufferings as bravely as did the Spartan youth who was hiding the stolen fox. But they suffer terribly.

A man who goes to the Bar without interest, and without connexion, and who, although well educated, is yet not brilliant, the ordinary kind of man who has been to a Public School, and taken a creditable degree at the University, may consider himself lucky if by the time he is from thirty-five to forty, and ought to be thinking of sending his children to school and placing them out in life, he

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can count on a steady £500 a year from a few small and regularly paying clients. Now there is hardly any calling he could have adopted in which he would not have done better. In the first place the competition at the Bar is cut-throat in its character. In the next place a barrister cannot take a partner, so that he is obliged to attend personally to his work without intermission. A sickness of six months will throw him back four or five years. He must be always on the spot, always fresh, always up to the mark. If a physician, or a dentist, or a solicitor wants a rest he can find a friend who will watch his business for him while he is away, and who, when he returns, will not have poached upon it. At the Bar, I am sorry to say, the competition is so keen that many barristers, if compelled to "hand over" a brief are careful to give it to a man who is not ever likely to prove their rival.

Why then do so many men embrace a profession which, when they have reached the prime of life, is hardly likely to yield them more than a precarious and utterly insecure income of less than thirty shillings a day in the gross? I shall attempt to answer this question later on.

Why do so many young fellows go to the Bar when the outlook is apparently so hopeless? A discreet few go because they have definite prospects. A large number go because they drift there, not knowing what to do with themselves otherwise. A lad is clever, at school he gets a scholarship at

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Oxford or Cambridge. He takes creditable honours; but he just misses his Fellowship. He is too late in life for the Army, or for any calling, such as that of a doctor or an engineer, which requires special knowledge and training. He is too conscientious to take orders, and too independent and too adverse to routine and discipline to take an assistant mastership at a Public School. So he goes to the Bar meaning to become a judge if possible. At the Bar he finds himself in company with many men wasting the best years of their life, the dismal number being increased every call-day.

Of men who succeed at the Bar, there are broadly two classes—those who get on through private influence, and those who owe their success to ability and industry coupled with good fortune. If your father is partner in a large firm of solicitors or if (which is just as good) he can influence solicitors, if he is a railway director or a great contractor or merchant, business will come to you almost as a matter of course; and even if the bones are small at first, there will be plenty of good meat about them. You have the inestimable advantage of starting with a connexion; and a connexion at the Bar is everything. At this moment the junior Bar is crowded with young men who are the sons of Peers, parliamentary agents, solicitors, engineers, and men in great mercantile businesses. They have been called because their private influence makes business a certainty for them—not because they

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have any special love of Law or particular forensic aptitude.

Mr. Smithson, of Essex Court, has been only ten years at the Bar, and has a great practice in the Admiralty Court and in heavy mercantile cases that take him up to the House of Lords and bring in large fees. His father is a partner of the firm of Harris, Smithson, Cooper, and Smithson of Leadenhall Street. His uncle is partner in a bank, whose solicitors go out of their way to make business for him. His father-in-law is a railway contractor who spends a large sum every year in litigation, looking on it as a sort of incidental expense in all large undertakings. So Smithson is getting on. He is a dull man, but he may one day be a judge.

Another kind of man has luck. He reads for two years as a pupil in the chambers of Mr. Thresher, who has more business than he can manage. Our hero goes in heart and soul for his work. He makes himself indispensable to Mr. Thresher. He hunts up his cases ; does all the hard work of his opinions, and is, of course, very much surprised when it is suggested that he should have his name painted upon the door under Mr. Thresher's own. The ripeness of time arrives, and Mr. Thresher becomes Thresher, K.C. Then the solicitors who retain him get to understand that Mr. Thresher likes to have our young friend with him as a junior, and so the fortune of our young friend is made ; and when Mr. Thresher, K.C., becomes Mr. Justice Thresher,

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his business passes through his successor as simply and easily as if he had sold the goodwill of it. Lord Campbell got on in this way by first reading with Tidd and then "devilling" for him.

There are really only two roads to success at the Bar. The one is broad and easy. The dullest men can walk in it, and often do. The other requires the difficult combination of good fortune with the ability necessary to grasp it. The third kind of man, who just manages to live at the Bar, and whose highest ambition is to become a master or perhaps a County Court judge, has for many years to eat bread without butter. He plods along; he never misses Sessions or circuit, he will spend a day in the library of his Inn over an opinion which brings him in a guinea. His chambers are opened at half-past nine in the morning. He dines in the chop-house or in Hall, returns to his chambers, and does not leave them till eight. He stops up all through the Long Vacation; he does hack work for the legal publishers and articles for the law magazines. He is always ready to go to the County Court for a guinea if the case, as solicitors put it, "will not bear more," and he feels secure for life when he is made a revising barrister.

Vast numbers of very foolish epigrams have been made about success at the Bar. One of them is that the first essential is good animal spirits; and that if you add a little law it will not materially hamper you. Well, the late Lord Justice Mellish



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succeeded at the Bar ; so did the late Mr. Justice Hawkins ; so did the late Mr. Justice Manisty ; and so did the late Serjeant Wilkins. Serjeant Ballantine once told me a very amusing story with regard to Serjeant Wilkins. Serjeant Wilkins had originally been a clown in a country circus. He was possessed of immense ability, and one evening he so delighted a member of the audience that he waited for him, and after the entertainment was over, introduced himself to him, and told him that with his ability he ought to go to the Bar, and if he would agree to do so he would provide the necessary money. Wilkins at once agreed, thinking that the Bar referred to the next public house, and feeling quite ready for a drink after his late exertions. They did adjourn to the nearest hostelry, and his new friend explained to him what he really meant. Wilkins consented. At that time it was not necessary to pass any examination to be called at the Bar. All that was required was that the so-called student should attend a pleader's chambers (the pleader in question having been paid one hundred guineas, and desiring to see as little as possible of his pupil), to eat six dinners each term in Hall, and to get the pleader's certificate at the end of three years. This Wilkins did with the aid of his friend, who found him the necessary money to live upon, and paid for his call at the Bar. Wilkins got on very rapidly in his new profession, and in a few years was making £7000 or £8000 a year. He was an extravagant



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man, and although he was briefed to defend William Palmer, the Rugeley poisoner, was obliged to remain at Boulogne for fear of arrest for debt, the brief in question being handed over to Mr. Serjeant Shee.

Serjeant Ballantine's story was as follows : Wilkins was retained for the defence of a man charged with murder. The trial took place at one of the assize towns on Wilkins' circuit. The case for the Crown concluded about seven o'clock in the evening, and the judge then adjourned for dinner. At that time in a capital case the courts constantly sat till eleven or twelve o'clock. When the judge returned it was Wilkins' duty to address the jury on behalf of his client the prisoner. Wilkins had got drunk at mess, and imagined that he was counsel for the prosecution. He proved to the jury conclusively that no one could possibly have committed the murder but his client, and was about to sit down when his junior pulled him by his gown, and whispered in his ears : " Serjeant, you are appearing for the prisoner." Wilkins at once pulled himself together, and, addressing the jury, said : " Gentlemen, you cannot say that I have shirked anything whatever that might tell against my unhappy client. But I have raised the house of cards," and suiting the action to the words he continued, " I shall now proceed to demolish it." He then made a most impassioned address on behalf of his client, and after the summing up of the judge the jury returned their verdict " Not guilty."

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I can understand those twelve men in considering their verdict being tremendously impressed by the serjeant's candour in the first part of his speech. I recollect being present in Court when a similar incident occurred to Serjeant Ballantine. The Serjeant was counsel for the plaintiff in a case tried before Baron Huddleston, the plaintiff in question was Robert Emery, to whom I have already referred, the brother of Winifred Emery (Mrs. Cyril Maude). Emery was an acting-manager, and sued the executors of the lessee of the theatre where he had held that appointment for a year's salary ; he was the son of the famous actor Samuel Emery, and the serjeant thought that he was an actor himself. "Gentlemen of the jury," he said, "I don't say that my client is such a brilliant actor as his famous father, but he is a good all-round steady actor, always to be relied upon. When he appears on the stage the prompter's voice is never heard, and he performs his duties in a way to command respect from all people connected with any theatre in which he may have had an engagement." At this moment Pitt-Lewis, Ballantine's junior in the case, pulled the serjeant's gown and whispered to him, "Emery is not an actor; he is an acting-manager." The serjeant got out of his mistake beautifully. "Gentlemen," he said, "some of you may not be as well acquainted with the theatre as I am. Now, gentlemen, there are two sorts of acting in the theatre, there is the acting



MR. SERJEANT BALLANTINE



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which goes on behind the curtain, and the acting in front of the house. You may wonder what I mean by speaking of the acting which goes on in the front of the house. This acting is sometimes very necessary, and I will give you an instance to show why this is the case. Supposing a gentleman books stalls at the box-office of a theatre and in due course attends the performance. Another gentleman may go to a librarian's—Mitchell, or Hays, or Lacon and Ollier—and by mistake is given the same numbers. The two parties arrive at the theatre at the same time, and both of them insist on occupying the seats in question. Naturally neither of the parties will give way, and it is then that the acting in the front of the house begins. The acting-manager comes forward and pours oil upon the troubled waters. He apologizes profusely for the mistake which he says was in no sense his fault, he hands two equally good stalls, or even a private box, to one of the parties, they are quite contented, and all is peace again. My client is an acting-manager."

We are told that the law is a stern mistress and unforgiving, and that those who woo her must court her without intermission by night and by day, and yet Sir Alexander Cockburn has not so long passed away, and Mr. Justice Maule and Baron Huddleston are not entirely forgotten.

There are two interesting stories of Maule. One night he had been dining in Hall, and after a somewhat lengthened visit to the Council Chamber

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returned to his residential chambers in Paper-buildings. He had had quite enough to drink and wisely decided to go to bed. He was always in the habit of reading in bed, which he did by the light of a candle placed on a chair by his bedside. On this occasion he placed the candle under his bed, and something else on the chair, and in a few moments fell fast asleep. In a very short time he was rudely awakened, for the bed was in flames, and he afterwards told a brother judge that he thought that he had been sent to the infernal regions. The fire sobered him, and he managed to escape with his life. Paper-buildings were burnt to the ground. Hence the new structure.

Another story of Maule is that he was presiding at the Guildford Assizes in a murder case. During the progress of the case in question the counsel for the Crown put a little girl into the Box who was five or six years old. The counsel for the defence objected to the child being sworn, saying that it was impossible she could understand the nature of an oath. "There may be something in what you say," said Maule.

"Come up, my dear, and sit by me." The child was lifted up to the Bench.

"Now my child, you are going to be asked some questions."

"Yes, Sir."

"Now supposing you were a naughty little girl, and told stories, do you know where you would go to?"

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"No, Sir," answered the child.

"Neither do I," said Maule; "an excellent answer. Swear the witness."

Another judge, Mr. Baron Martin, at the same Assizes was trying a man for murder, and he summed up to the jury dead against the prisoner. The jury, however, took a merciful view of the case and returned a verdict of manslaughter. Baron Martin was always very brief in his sentences and never attempted to harrow a prisoner's feelings. "Preesoner at the Bar," said the old Scotsman, "you're the luckiest man I iver cam across. Tak penal servitude for life."

Campbell used to say that there were four roads to success at the Bar—quarter sessions, special pleading, hugging attorneys, and miracles. In three of these four roads his lordship knew his way uncommonly well. Somewhere in "Coningsby" Disraeli makes Sidonia say that every man who goes to the Bar has his chance sooner or later. This is a mistake. The fact is that the work of a junior at the Bar is, as a rule, so easy that a good man has no chance of showing the stuff that is in him. Dull, slow, respectable Smithson can draw pleadings, and go through all the other routine as easily as if he were brilliant and had energies which he had devoted to his profession. You cannot show your abilities at the Bar until you get your chance, and it is seldom that the chance comes.

Juvenal has told us all about the Roman Bar, in



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his own time ; and every word is applicable to the English Bar of the present day. Gilbert and Sullivan fully recognized this fact, and hence their entertaining "Trial by Jury," which had the merit of not being only amusing, but perfectly true to life.

The fact is that the English Bar is in the hands of solicitors. We are, as Lord Westbury said, "the most solicitor-ridden nation on the face of the earth." To succeed at the Bar you must command solicitors, or come from them, or get at them, or get round them somehow. This is a hard saying to the young man who has just taken his first class or otherwise covered himself with University distinctions. But it happens to be the truth.

Let us take the crown and glory of things, and see how it feels when it is fitted on. I am not talking of the crown of all—the Chancellorship—but of ordinary judgeships. Even in these there are degrees. It is pleasanter, more dignified, and more lucrative to sit in the Court of Appeal, or to be Master of the Rolls, or to be Lord Chief Justice than to be a mere judge puisne ; but the last post is enough for reasonable ambition.

A judge has a pleasant time of it. It is a mistake to suppose that his work is very hard. His hours need not be longer than from 10.30 to 4, or thereabouts, unless he chooses to make them so ; and he has liberal holidays. Most of his work is merest A B C to him. He must feel like a senior

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classic who is taking the middle fifth in its Virgil. In fact the work is dull, because it is so very easy. The greater number of actions give no trouble at all, and any man with a sound head and sufficient strength of character ought to be able to try them after he has been at the Bar five or six years. Of course there are difficult and intricate cases—chancery cases in which several parties are concerned, and cases where the evidence is conflicting or doubtful or uncertain. But the bulk of litigation in its early stage puts no strain upon the judge ; it is simply tedious.

Arguments are another matter ; but even here fortune is kind to the judges. To say that litigants are litigious is to say that there is a good deal of human nature in man. A large number of cases that come on for argument are absolutely rotten. I was once in the court of the late Sir George Jessel when one of the most able leaders at the Common Law Bar—Sir Frank Lockwood—was arguing a point which he knew to be untenable, but it was the only point he could possibly urge, and he felt bound to urge something. “What are you here for, Mr. Lockwood?”—this was before Frank Lockwood had been made Solicitor-General—asked the Master of the Rolls in his most marked manner. “Thirty guineas and two, my lord, and cheap at the price.” Sir George laughed and shook his head, and the learned gentleman sat down. A strong judge can do this. “My mind is made up

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on that point," he will say to counsel, or "Can you really argue this?" or "We will hear you if you insist, but it is really useless." Weak judges will allow any kind of argument at any length, and so waste a considerable amount of public time. But if the argument really involves a new and difficult point of law, how then? Even then the work is not hard. The arguments of counsel are of great assistance. It is a certainty that every decision which bears on the case will be quoted. There is a peculiar Freemasonry (which, by the way, struck Berryer more than anything else he saw in England) between the Bench and the Bar. When counsel of position are arguing a difficult point the matter is thoroughly thrashed out, and the judges, who have all the papers, are masters of everything. They have only to reserve judgment to think the thing over, to form their opinions and to deliver them at their leisure. This is the same kind of work as writing an opinion in chambers, and it is not really more difficult. It is the hardest work a judge has to do.

It is almost certain that a man will never become a judge unless he has a natural aptitude for law. Your genial blustering advocate, your Serjeant Buzfuz, very rarely finds his way to the Bench, but if a man has the qualifications I have mentioned his work as a judge must be very pleasant to him. I might take many instances, but will be content with one. Without having had the honour of Lord Bram-

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well's acquaintance, I venture to assert that he never found his work give him any trouble, and always thoroughly enjoyed it. Most of our judges are strong men, and their judgments, when properly reported, are masterpieces of clear-headed reasoning, abundantly illustrating the old saying that the perfection of law is the perfection of common sense. Being free from all anxiety—for no servant of the State has so secure a position as a judge, who can only be removed from his office by a joint address from both Houses—with congenial work, with regular hours, and regular holidays, a judge ought to live to a great age. Most of them do so. Several among them have intellectual pursuits other than the Law, and enjoy ample time in which to gratify them. One of our judges was devoted to physical science, and was said to know even more of it than of law. Another was a skilful painter, and was on more than one occasion hung on the line. Another was a considerable Greek and Latin scholar, and would probably have edited classical books sooner than have done anything else if he had thought that a judge might have decorously done so. Another was an ardent essayist. Another was a learned and widely read musician, and a skilful performer on the violin, who once went down to Cambridge to stay with Dr. Whewell, the then Master of Trinity, and in course of conversation he asked the Master if he could play the violin. Whewell, who never admitted that there was

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anything on earth he could not do, replied, "I don't know; I never tried." I mention these instances in support of my assertion that if a man is fit to be a judge, he will find his work easy.

The social advantages which a judge enjoys need hardly be pointed out. Indirectly and sometimes directly, he has a considerable amount of patronage at his disposal, or within the range of his recommendation. The only possible *amari aliquid* in his cup ought not to be there if he is a sensible man. It may occur to him that he ought to have been Lord Chancellor, or Lord Chief Justice or Master of the Rolls instead of a puisne judge. The judge who vexes his soul on this ground would probably, if he found himself Chancellor, be disposed to be unhappy because he was not also Lord High Admiral and Leader of the House of Commons. For any man the English Bench ought to realize Horace's picture of the *quieti ordines deorum*. When you are on circuit you are invited from time to time to dine with the judges, and judges are the very best of company. Those who know them in private life will bear me out in that. A judge is, as a rule, an ideal of an English gentleman. He is highly educated and a thorough man of the world. He is courteous and an admirable talker, and possessed of a great fund of anecdote. He has strong opinions and rarely conceals them, and he almost always has that contagious kind of happiness which is the characteristic of a man who, being still in vigorous

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health, has secured everything in this world for which he cares. Can one wonder that such prizes should tempt to the Bar men who are still full of the over-confidence of youth?

It is commonly believed that the work of a barrister is very interesting. This is because the public forms its idea as to what a barrister's work is from listening to him when he is keenly arguing with the Bench of judges, or performing the time-honoured operation of raising roars of laughter or of not leaving a dry eye in the Court. If you have the nerve to attend a hospital and to see a surgeon of eminence perform an operation in the theatre, you will probably be fired with enthusiasm for the grandeur of the profession. But the treatment of ordinary cases is very dull work. And so it is with the law. The bulk of a barrister's work is absolutely uninteresting, even from a professional point of view; and this is especially so for juniors, who, as a rule, are not entrusted with the management of important cases. Out of ten sets of papers that come into your chambers, there will be nine that involve no point of law worth consideration or capable of serious argument, and are devoid of all interest except to the parties concerned. Builders' actions, actions on bonds, and ordinary actions for debt, are generally of this kind. Your only consolation is that you get your fee. As for distinguishing himself, a young barrister rarely gets a chance, except in novels. The most he can do is to display



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a sound business capacity and power of grasping business transactions in their details. Solicitors value this in a junior more than anything else. But for a long time after you are called, the work will be terribly prosaic.

As you get on a bit—if you do get on—things become pleasanter. In the first place the smaller fry of solicitors with shady and troublesome little cases leave you and seek some other victim, as young and confiding as once you were. You get your fees paid, or nearly all of them. You get a better class of business. You begin to give up Quarter Sessions, and drop County Courts and other small work. And when you are really in the swim, the work is highly interesting. Opinions come that have to be carefully considered. The cases are heavy and want work. You are pitted against men who are your match, and sometimes more than your match. Your wits are always on the stretch, and you are thankful when the Long Vacation comes round. This is about the most trying part of your professional career. You are past forty, nearly fifty perhaps. You are making a fairly good income but not a remarkably good one, and two difficulties are almost certain to trouble you. The first is, whether you shall go into Parliament—which means whether you can afford to do so. And then comes another question, which is whether you shall accept some small preferment of £1500 or £2000 a year, or whether you will hold on in the



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hope of becoming a judge of the High Court. The temptation to accept a certainty and to live in peace for the remainder of your days is very great, and if you are a sound lawyer and in good practice, you can make sure of some minor appointment ; you practically have only to ask for it. But there is an uncertainty about the Judicial Bench. Sir Fitzroy Kelly had to wait for years because his Party were out of power ; and there are men now at the Bar who might with advantage be on the Bench, and one or two judges on the Bench who set you thinking of the proverbial flies in amber. I may perhaps sum up the situation by saying that a man of real ability has a slightly better chance at the Bar of being made a judge than he would have had of being made a bishop if he had taken orders.

It is when you have well passed the prime of life that half success is most felt. Younger men are coming to the front, and your work gets more distasteful ; and yet there is nothing for you to do but to keep on. Here a doctor has an advantage—especially a doctor in the country. He can sell his practice and retire ; or he can take a junior partner to do the hard work ; and his patients do not leave him to go to younger men. This is the case not in medicine alone but more or less in all professions where you are brought into personal contact with your client. A sort of quasi-friendship grows up and keeps the connexion together. No such sentiment exists between solicitors and barristers. Many

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barristers when they get beyond sixty begin to find their practice drop away; and there is no sight more melancholy than that of a man who is past his work, or is believed to be past it, wandering from court to court and watching younger men busy with the briefs that once came to himself. He neglected to secure a small certainty at the proper time. Perhaps he has spent money in contested elections which he might better have saved. I know such instances. I am thinking now of a man who was called many years ago, and when he was forty had a very good practice, making about £4000 a year, and sometimes more. He was a sound lawyer of the old school, and his pleadings and opinions were excellent. He never took Silk, as he had not the faculty of addressing juries, and would have had to give up all his small and most paying work. But he could argue a case very well, and the judges always treated him with the courtesy they show to men who do their work thoroughly. Somehow or other he never got anything. For year after year he missed the county court judgeship. He never got made a master—a post he would have filled admirably. Then came the Judicature Act, which lost him most of his pleadings. Little by little his business fell away, and just before he died his income was not a tenth of what it had been once. The brighter side of the question we all see and know. We can see the King's Counsel who is in every case on his

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circuit, who has an immense business in London, who sits in Parliament, who has more work than he can manage, who can afford to slight the solicitors who formerly patronized him, who has saved much money, who may one day be Solicitor-General, and who is known to have refused a judgeship. Or we might some few years ago have gone into the chambers of Mr. Benjamin and have seen his memorable notice, how he attended no courts except the House of Lords and the Privy Council, and only attended those for a special fee of one hundred guineas, in addition to the usual fee on his brief. Mr. Benjamin could afford to do this. But such men as Benjamin; Lord Westbury, when Sir Richard Bethel; the late Lord Chief Justice Cockburn, when he was Attorney-General; the late Mr. Austin, when he could affect the price of railway stock by a speech in Committee, and could saunter down Rotten Row observing that he was doing his duty impartially to all his clients, are the exceptions that prove the rule. I should think that more brilliant men have wasted their lives at the Bar than in any other profession or occupation whatever.

I believe that the majority of the English public have very vague ideas of the duties and manner of life of a judge. I will endeavour, therefore, to depict a modern judge such as I have known, and I will call him Mr. Justice Jones.

Mr. Justice Jones is keeping his sixtieth birthday. He has not celebrated it by a dinner-party. Lady

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Jones is in her own room, and is suffering from neuralgia. His eldest son is with Kitchener. His second son is at Liverpool, where he is flourishing immensely as a local barrister. The numerous daughters of Mr. Justice Jones are all married and living in different parts of the world, one in a villa at Torquay, another at Hyderabad, another at a rectory in the Lincolnshire Fens, another at Brussels. All his children have written him the usual letters. But none the less, his lordship is lonely. He has had his soup, and his fish, and his cutlet, and he has done his duty by his pint of port. But he feels as if he would like an hour at pool or a rubber of whist. He wishes he belonged to the Garrick or the Union, instead of the Athenæum. A sort of strange frenzy steals into his brain, prompting him to ask the butler to take a chair, and light a cigar, and have a talk. Why should he not go to the theatre, or even to the music-hall? Why not? But he is very tired, is Mr. Justice Jones. So he sits in his easy-chair, and he looks at the fire, and he thinks.

First, he remembers his old school-days—how he got the medal for Latin verse and the pewter-pot for the quarter-mile swimming race, and how he secured a scholarship, and took his first class in Moderations, and played in the College eleven, and took his first-class in Greats, and entered at the Inner Temple, and got his fellowship at Balliol. Those were bright and cheerful days. Then came the drudgery of a pleader's chambers, with their interminable

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shelves of reports. Then he remembers how he went sessions and circuits, and defended prisoners who had stolen eggs, or won money by the confidence trick, or mistaken some one else's house for their own, or broken the ribs of a county constable. And then came London business, with its pickings—a brougham smashed up by an omnibus; a money-lender who had exceeded his powers under a bill of sale; the cook who sued the licensed victualler for breach of promise of marriage; the suburban householder who had got into a row with the jobbing builder over qualities and quantities; the butcher whose account had been disputed. It was all practice, of course. But how miserable and dull and flat and unprofitable it all was! It paid, however, and Mr. Justice Jones remembers how he found himself making £700 a year, and able to give up his fellowship and marry Miss Edith Bumble, daughter of the second partner of Cobb, Dobbs, Bumble, Davis, Quickeetter and Sharp, of the Old Jewry (Cobb had been dead for twenty years, but the name still brought clients). Miss Edith Bumble, now Lady Jones, was not exactly intelligent, nor altogether sympathetic. But the income of Mr. Jones leaped from £700 a year to a handsome total in four figures, and by the time he was forty he had taken Silk.

To do him justice, he had been a sound lawyer, and had deserved the success which had come to him in this somewhat roundabout way. He had a clear head. He knew his case law. He could

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write a clear and sensible opinion. He could address a jury in lucid and ordinary English. He could talk over an arbitrator, and he could now and again teach the judges in Banc their business. Nobody doubted his ability, or his energy, or his straightforwardness and courage; nobody was astonished when he moved to Prince's Gate, or when Mrs. Jones took to a motor, or when he became Member for Great Kiddington, or when his portrait was hung in the Royal Academy, or when he bought himself a little estate in Essex, and sent his boys to Eton. And yet how dull his life had been. Consultations at nine; robing-room at ten; Court at ten-thirty; jury case before Mr. Justice Blunderstone, in which he signally defeats Proser, K.C.; the lunch sandwiches and some sherry from his flask; then an argument in Banc, in which—in his turn—he is utterly routed by Jorkins, K.C., whose masterly exposition of the law with regard to ancient wells elicits compliments from the Bench, and produces a profound article in the *Times* of the next morning; then chambers, dusty and dirty, with even morocco chairs and bookcases looking dingy. Consultation follows upon consultation. Then a quick cab to Prince's Gate, and a dull dinner, briefs, and tea, and perhaps a cigar until nearly midnight. And next morning the robing-room again.

There is a pleasant side to the picture. The guineas rolled in; the banker's account took care of itself; the senior clerk wore a thick gold chain.



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But it was a terrible treadmill. No time to dine out, no time to read even the papers, much less current books; hardly time to keep posted up in the law reports. It had been a positive relief to Mr. Jones, K.C., when the long vacation came, and he could go to Essex, and stroll about his estate, and look at his ducks and cattle, and watch the progress of his trees, and jolt about the roads on his weight-carrying cob.

He was fifty-two when he was made a judge, and everybody said it was a capital appointment. He had saved money, but it was a nuisance to find his income drop suddenly by some few thousands a year; and now his work is more monotonous and tiring than ever. He has to sit in chambers and to decide points that are the very A B C of litigation. He has to sit in Court and keep counsel in order, and preserve his own dignity, and preserve his own temper over disputes that are as devoid of all human interest as is a fossil of life. He feels as if he were a successful general sent with a hundred militiamen and two guns to capture a farmhouse which the farm labourers are holding with their pitchforks; or an explorer who, on returning from Thibet, or the Amazons, or equatorial Africa, is told off for two years to take soundings in the Serpentine and report upon the peculiarities of its bottom; or a senior wrangler who has to hear day after day a more than usually dull third form stumble through the Second Book of Euclid. He is now



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sixty, and there are seven more years before him of his toil of Sisyphus. He has had none of the pleasure out of life that other men have had. His time has never been his own. He has been to Paris once or twice, and to Mentone and to Rome, in much the same mechanical way as he has been to Brighton and to Scarborough. But all his real tastes and wishes have remained unfulfilled, and have died out of him, exactly as the fire is dying out in the grate at which he looks. From "the wild joy of living" he has been utterly cut off. Of hunting, of shooting, of yachting he can tell nothing. When he went down to the House of Commons he was always too tired to do more than vote steadily with his Party, and now and again make a solid speech of fifteen minutes. He has never seen the southern sea break over a coral reef; he has never sat under the shade of palm trees, nor seen the big game fall to his own rifle. He might have been behind a counter selling calico by the yard or butter by the pound, for all the real enjoyments that life has yielded to him.

And now he is only one judge among many. He is not quite as self-assertive as are some of his legal colleagues. The daily papers occasionally take him to task. The Court of Appeal puts him right vexatiously over trumpery matters of detail. The Attorney-General, whom he can remember as a junior at the Middlesex Sessions and the Mayor's Court, is very frequently impertinent to him. The

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only comfort is that he is still in good health, and has an assured income. Seven years is a long time to wait for his pension ; but according to David, he will then have three years left him, and according to Carlisle tables of morality, eight. He can then go down into Essex and grow roses and breed poultry, and revive his old acquaintance with the classics, and drive about in a pony carriage and enjoy the supreme pleasure of doing nothing. And at this point Mr. Justice Jones discovers that the fire is out, and his feet are cold, and his pint of port is finished. And he recollects that at half-past ten to-morrow morning he has to deliver judgment in the interminable case of the Pennington District Board of Works v. McTavish ; and he slowly and sadly goes up to bed.

The Bar at present is as severely depressed as are all other professions and occupations, and one sign of this depression is very noticeable. If you saunter leisurely through the Temple, you are almost certain to come across a man past the prime of life, of unmistakably respectable demeanour, and whose apparel has obviously seen its best days. He is doing nothing. It is clear, indeed, that he is on the look-out for a job, or is, to borrow the expressive phrase of Mr. Montagu Tigg, "round the corner." You meet him, let us say, in Essex Court. In Pump Court you will come across a second specimen. There is a third waiting in a

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hopeless kind of way under Goldsmith-buildings. And there are almost sure to be a couple in King's Bench Walk, listlessly interested in the trees and the sparrows, but with the weather-eye wide open for anything that might turn up. These more or less dilapidated individuals are barrister's clerks out of employment, and in quest of a new situation. Their last employer has died, or has retired from practice, or has accepted a Colonial judgeship, and the unhappy clerk has found himself out of employment, and with literally nothing to which he can turn his hand.

The career of a barrister's clerk is extremely precarious. There are great prizes in it, no doubt. The clerk of a great leader will make £1500 a year very easily by legitimate fees, and half as much again indirectly. Then, of course, if his master becomes a judge, he is permanently provided for. But the majority of barristers' clerks have a very hard time of it. They have usually commenced life as office boys at a few shillings a week. The office boy of the Temple is a *gamin sui generis*. His impishness is something absolutely incredible, his precocity miraculous, and his knowledge of the world worthy of a King's Counsel and circuit leader. For most boys—stable boys, errand boys, shop boys, and other such varieties of the *genus*—the Law has its terrors. The office boy in the Temple knows better. Familiarity has bred contempt in him, and he will even go so far as to

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contest the right of way upon the pavement with a City policeman. Of these promising young gentlemen a certain number are dismissed for petty offences. A few are convicted of theft and embezzlement, and disappear from the society they have enlivened. A still larger number abandon the Law in disgust and take to more adventurous callings—becoming sailors, or railway porters, or potmen, or enlisting, or otherwise adopting a buccaneer life. A select few take kindly to the law, and ultimately develop into barristers' clerks.

The nominal duties of a barrister's clerk are very light. He has to wait upon his master, to aid him in robing and unrobing, to introduce clients to his notice, to receive the fees and to account for them. His actual duties go far beyond this. He is expected to act as a sort of factotum to his employer, to go messages for him, to make convenient excuses for him, and generally to tell, or, indeed, to invent, any lie that may be necessary upon the spur of the moment. He must also make him acquainted with solicitors, and must ascertain who among that fraternity are respectable and likely to pay their fees, and who are of shady reputation and not to be trusted at all, or at any rate beyond a given limit. Barristers' clerks confer together upon these subjects, and have private black books of their own far more terrible than any memoranda ever issued from the bureaux of Stubbs or Perry. But this is the mere fringe of the clerk's work. His real duty is to act

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as "bonnet" to the barrister, whom he serves. I use the term "bonnet" in no invidious sense. A chaperon is to a certain extent a "bonnet" to the young lady whom she escorts. It is a recognized part of her duty to represent the fair *débutante* as accomplished, amiable, affectionate, and generally possessed of all the cardinal virtues. She has, in short, to beat a big drum, and to discourse music upon the pipes. The duties of the barrister's clerk are analogous. Whatever may be his own private opinion, he has to endeavour to make everybody believe in the immense capabilities, profound learning, and consummate experience of his "governor." He has, in other words, to tout. There are more ways than one of touting, and the best clerk is the one who displays the greatest amount of *finesse* in this difficult art. Much might be written on touting as one of the fine arts, dividing it into its kinds, and distinguishing between the clerk who hangs about bars in Fleet Street, chronicling his master's achievements, and the clerk who takes a promising solicitor to a Sunday dinner at Richmond, captures a big brief with a cheque inside the red tape, and receives the expenses of the day as secret service money. These peculiar functions tend to create a special bond of intimacy between the clerk and his master. Many barristers on retiring from practice deal most handsomely by their clerks, starting them in a business, or otherwise providing for them. Others can no more dispense with their clerk than could Mr.

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Pickwick have dispensed with Mr. Samuel Weller. He has become a necessary part of their existence or, to put it mildly, a necessary evil ; and so, under one excuse or another, they continue to retain his services. And this affection is often reciprocal. I know of one instance of a clerk who died without a wife or family and left all his savings—several thousand pounds—to his master. Indeed, the clerk is an informal partner with the barrister, and is often treated as such.

The usual method of payment is for the barrister to guarantee his clerk a small sum. The clerk's fees beyond this amount are his own. Everything for him depends, of course, upon the success of his employer. The two are in the same boat.

A competent barrister's clerk knows the Roll of Solicitors almost by heart, and he is able to tell in what cases he can accept a brief upon credit and in which to insist that the fee should immediately be paid. He is also able to haggle over fees, or, as it is commonly termed, to "raise" them. In addition to this he is more or less his master's shadow, always ready to undertake any confidential commission, or to make himself at once useful in any small way. His occupation, in fact, is almost that of a general manager in a large mercantile house. He has to do all the bustling about, to see all the people, to take upon himself all the necessary departures from the strict canon of truth, to look after the accounts, to be responsible for the current balance, and



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generally to undertake all the racket. This is hard work, no doubt. But a barrister's clerk who is born to the business, or has commenced life as a boy in chambers at five shillings a week and has worked his way up, will be found to take a genuine pride in his multifarious duties. As I have said before, there is a sort of partnership between the barrister's clerk and his master, whom he couples with himself as "we." "We never go into court under ten guineas," he will say; or "We are retained on the other side"; or, "We shall want a special fee in this case." Nor is this assumption of partnership altogether unreal. A good clerk can help his master materially. He is the "traveller" of the firm. Etiquette forbids a barrister to advertise himself in any way. It is the duty of the clerk to advertise his master, and to make his merits known to the managing clerks of solicitors. It is not too much to say that a clerk who has a good connexion amongst City solicitors, and who knows which firm to court and which to avoid, can, if he enters the service of a competent and rising junior, double his income for him in a couple of years. He plays Bismarck to his master's Kaiser Wilhelm. This kind of relationship very often leads to a very close friendship between master and man.

The chances of a barrister's clerk are about as good as those of his master, with whom he has elected to sink or swim. If the master becomes a judge or gets some other good appointment, there



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will be a corresponding post for the clerk. If business is good the clerk can save enough to retire in comparative comfort, but if his master dies or retires suddenly the position of the clerk is very serious. He is too old for any other calling, even if he were qualified for it. This is the risk which he has to face, and business at the Bar has been so bad of late that, as I have said before, the Temple is crowded with competent clerks who are standing idle in the market-place. Many of these men are highly educated and really know a very great deal of law. In France such a man, being stranded by his master's death, would at once take out a licence and set up in business as an *homme d'affaires*, or general representative in small matters—a sort of messenger, accountant and debt collector, and general agent. It is a pity that in England no such career should be open to men who are thoroughly competent, completely trustworthy, and are suddenly by accident left deprived of their income. This, however, is the gloomy side of the picture. The clerks of leading barristers are, as a rule, well-to-do and save money. Many a barrister makes his clerk a handsome present when he retires, buying him, as it were, out of the partnership which has tacitly subsisted.

I must say a word or two about that curious species—the Temple laundress. The laundresses who perform the duty of general servant in the various Inns of Court are a very singular race.

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They are, indeed, almost a caste, with characteristics quite as distinct as those of a "scout" or a "gyp." Originally, it may be conjectured, they were actually laundresses, who used once a week to bring the young sparks of the Inns their ruffles and cravats, cuffs and stockings, and would so have corresponded more or less with the modern *blanchisseuses de fin* in Paris. In the present day, however, one is rather disposed to agree with Mr. Weller, that the old ladies whom one sees about the Inns of Court making a great show of doing something with pails and brooms, must be called laundresses because they have a mild aversion to washing anything. The genuine laundress of the old type is certainly not a pleasant specimen of humanity. She is usually a married woman living somewhere close by the Inn and having a keen eye to any little perquisites that will come in useful at home. She is, no doubt, far more honest than an Oxford "scout" or a Cambridge "gyp" who gives the word "perquisite" a marvellously elastic range of meaning.

Unlike the University servant she does not purloin wine by the bottle even if she has a chance, or consider the remaining half of a cold pheasant lawful spoil. Neither is she in league with your coal merchant, or milkman. Instances of downright robbery by the laundress, such as the thieving of jewellery, or books, or clothes, are practically unknown. I have said that the Temple laundresses are almost a caste. Singularly enough the occupation is apt

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to become hereditary. The laundress brings her daughter to help her, or sends her in her place if she herself cannot come. The daughter succeeds the mother, and this will sometimes continue for generations. Then, too, although the occupant of chambers may choose his own laundress, as a matter of fact he finds it convenient to employ the woman who works in the other rooms on the same staircase, so that laundresses are apt to become, as it were, *ad scripti scalis*. It would, indeed, be almost impossible to bring up a stout, fresh young woman from Norfolk or Lincolnshire and make a laundress of her. She would be strong enough for the work a dozen times over, but she would never endure it. If you are to have a laundress at all, you must put up with the traditional and recognized article ; and to a man in practice, who leaves his chambers as soon as he can to get to his home or his club, and is in Court for the best part of the day, it does not much matter whether his chambers are quite what cleanliness and industry would make them.

It would be an affectation to pretend that the Temple laundress is cleanly. She is usually more or less incapable of hard work ; but even if she were not, she has a toleration for dust and dirt, which she seems to regard as tokens of large practice and an impending dignity. Much, however, depends upon the chambers which are under her charge. There are suites of rooms in the Inns of Court which no industry—not that of Hercules—could possibly

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cleanse and keep clean. The old and dilapidated panelling, the irregular floor, the small crooked chimney, which is perpetually getting choked with soot, the cupboards and presses that smell of mould and the general air of dry rot all over the place—all these are unmistakable.

There are chambers of another kind, where the only trouble is that mysterious mixture of dust, fluff and soot which is peculiar to London and which has such special affection for bookshops. Nothing will keep this stuff out of any rooms within any reasonable distance from London. We must all burn coal, and we cannot hope to prevent soot. But in the Temple and in Lincoln's Inn new blocks of buildings have been erected, the chambers of which have the great merit of being easily kept clean. There is nothing in them to hold the dust. The windows are of mullioned stone with metal fittings. The walls are of plaster and coloured with distemper. The floor may or may not be concrete. If of wood, it is the only wood in the structure of the room. Chambers like these lend themselves to cleanly burnishing. You can have a small carpet which is not fastened down and can be shaken once a week with the mats. There are more rooms of this kind than there used to be, especially in the Temple.

## CHAPTER VI

Baron Huddleston : His one great weakness : Serjeant Ballantine : A remarkable man and a great orator : The first man to cross-examine King Edward : The wit of a Rochefoucauld : His versatility : Sir Henry Hawkins : His rich humour : His great qualities : Some Hawkins anecdotes : Sir James Stephen : A legal "Bounderby" : More force of manner than of character : The late Sir George Lewis : Sir Harry Poland : The Moltke of criminal procedure : Lord Chancellor Selborne : "'Ere comes that 'oly 'umbug" : Lord Chancellor Cairns : Montagu Williams : "The Frank Wootton of the Sessions" : The famous Mr. Benjamin : A man who made law : His world-wide reputation : Mr. Justice Chitty : His nickname : The late Baron Pollock : An unappreciative prisoner.

I HOPE it may interest my readers if I give them my impressions of some of the men I have known connected with the legal profession. I will begin with the late Baron Huddleston. He was extremely eloquent, very earnest, and possessed an imposing dignity. He had one great weakness, however. I allude to that prevailing desire to impress upon the public his connexion with the aristocracy. When the famous case of *Belt v. Lawes* was in its first stages, the plaintiff deposed to having immortalized in marble the features of Mr. Snooks,

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Mrs. Jones, Miss Smith, and the Duchess of C. The opportunity was too good to be lost. Huddleston at once chimed in with "The Duchess' bust is a most excellent portrait; I say from personal knowledge how very like her Grace it is." What superb condescension! The general public—the common herd who frequented his Court—might perchance know all about the Snooks, the Jones, and the Smiths, but what should they understand about duchesses?

He was ever alive to the sense of duty, and the duty which occasioned him the most lively satisfaction was to give the outside world an insight into the mystic arcana of society, to grant it an occasional glimpse into the gilded saloons where he delighted in advertising that he possessed the *entrée*.

Once in a Continental town a friend of mine recollected overhearing one of his tradesmen, a gentleman well up in "Burke" and "Debrett," say to his better-half who was accompanying him upon the grand tour under the auspices of the immortal Cook, "I don't remember no Peer of the name of Uddlestone." He glanced at the hotel visitors' book which had elicited this remark, and there he saw in somewhat shaky writing, but conspicuous nevertheless, the words "*The Baron Huddleston.*"

There can be no doubt that he was right. To have described himself merely as Sir John Huddleston would have failed to convey to the alien mind a



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sufficient idea of the greatness of the angel whom they were entertaining unawares. He was brilliantly effective in the Chartist trials, and his successful defence of Pook was simply magnificent, and he was able to look back on a career which had borne a good harvest. He commenced life as a poor Irish lad without friends or money, and in his old age he was a judge, he was a rich man, and he was mated to a lady who was the sister of a duke, and handsome withal. He had, moreover, a dutiful usher who knew when to lead the laughter in court on his lordship's condescending to a joke; and he had the high honour of being known by some very smart people. What more could he have desired?

One of the most brilliant careers at the Bar was that of my old friend Serjeant Ballantine. He commenced life under fortunate auspices, his father having been one of the best amongst our metropolitan stipendiary magistrates. He presided over the Thames district; and the little court where he administered justice still remains in existence. It is situate at Wapping, just at the junction between the Upper and the Lower Pools, and it is admirably described by Dickens in "Our Mutual Friend." The son of a police magistrate, if he be an intelligent young man, can make an exceptionally advantageous débüt at the criminal Bar. No one ever doubted Ballantine's intelligence. Very early, indeed, he had assimilated the ripe wisdom of his father and fortified it by his keen sagacity and



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knowledge of life in its more bizarre phases. He had also great personal advantages. It would have been flattery to have called him a handsome man. But his features were remarkable, and, like his voice, were capable of infinite variation. Had not fate ordained him for the more dignified rôle of serjeant-at-law, he would have made himself one of the most distinguished among that small list of actors who are equally at home in tragedy and in high comedy. I have seen him by the mere expression of his eye and mouth, and the preliminary clearing of his throat, convulse the whole court with laughter. I have seen him so look at a witness as in a moment to arouse every one to the conviction that he was lying, and to paralyse the wretched victim himself with the consciousness of the fact. On the other hand, there were modulations in his voice with great pathos in them. As an orator, indeed, he had not his equal among his contemporaries; for Sir Alexander Cockburn had a sad habit of speaking to the gallery, and the late Mr. Serjeant Parry was devoid of humour and somewhat too classical and stilted in diction.

Ballantine's success, which was immense, was entirely due to his own abilities, and he deserved the full and entire credit of it. He never made interest for himself in high quarters. He never hugged attorneys, and his practice grew with a rapidity almost marvellous. He soon fulfilled the anticipations of his friends, and became a recognized

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leader of the criminal Bar. For many years he was retained in every case of note, and was, I believe, the only English counsel who had ever been instructed to conduct the defence of a foreign Prince in his own dominions. Report said also, and I believe truly, that the fee he received on that occasion from the Gaekwar of Baroda was the heaviest with which any brief has ever yet been marked. I have personal knowledge of what was its amount. It was twelve thousand guineas and two. And this enormous fee was well earned. A still more singular distinction is that he was the first man at the Bar who ever had the opportunity of cross-examining the late King Edward. This was in the Mordaunt case, in the Divorce Court, in which Ballantine appeared for the petitioner, and the then Prince of Wales was one of the co-respondents. Many years later Sir Edward Clarke had a similar opportunity. This was in the case tried before the late Lord Coleridge. Sir William Gordon Cumming was the plaintiff in a libel action arising out of the Tranby Croft incident, and the Prince, who gave his evidence, was subjected to a severe cross-examination by Sir Edward Clarke.

Ballantine's detractors were fond of saying that he was his own enemy, and that if he had paid more regard to the conventions of society, he would early in life have worn the ermine. I cannot possibly concur in this. His faults, if they were so to be called, were never so conspicuously in evidence as were those of Alexander Cockburn. But Sir

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Alexander was a man of fashion, who skilfully conciliated the good opinion of aristocratic circles. Ballantine, on the other hand, never cared to conceal his contempt for the Podsnaps, and Tite-Barnacles and Stilt-Stalkings by whom Mayfair has always been infested and overridden. Unlike Sir Alexander Cockburn, he persistently set society at defiance. Those who knew his good qualities may have respected him for this, but it certainly did not materially aid his career. Volumes could be filled with his good sayings. I will give two of them which are not upon record in his "Reminiscences" and are not, I believe, as generally known as they might have been. When some years ago a most distinguished journalist, as well known in his path of life as Ballantine was in his own, appeared in the witness-box, he for a moment entirely deprived him of his accustomed self-possession by audibly expressing his conviction that he had floured his nose. Most journalists of a few years' standing will guess to whom I am alluding. On another occasion he publicly rebuked Mr. Justice Hawkins—then Mr. Hawkins, Q.C.—for his inveterate love of accumulating wealth, blandly assuring him that he had much more money than he would ever need in this life, and he could not possibly hope to take away the surplus with him, and that, if he did, it would most certainly melt. His wit, indeed, was that of a Rochefoucauld, and made him many bitter enemies, some of whom he was not altogether able to despise.

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Serjeant Ballantine had a great friend, who lived in the Temple. He was about eighty-five years of age, and on coming up from Oxford and being called to the Bar, he took residential chambers in King's Bench Walk, and remained there for the rest of his life. He had no servant, only the Temple laundress who came every morning to look after his rooms.

Ballantine one day begged his old friend to give up these chambers and to go to live at some first-rate boarding-house. "It is madness, my dear fellow," said Ballantine, "for you at your age to stay here by yourself. Supposing you were taken ill in the night, what would you do? Why, you might die before a doctor could be summoned. Do take my advice." "No!" said the old barrister. "I have been very happy here and here I shall stop until the end of my days." "You are very, very foolish," said Ballantine. "Do think over what I have said." "Nothing would make me alter my determination," said his old friend. "I love the Temple. It has the peace of a college, and the licence of the Quartier Latin."

The versatility of his accomplishments was notorious. At whist and billiards he was a marvel. But he never professed spurious enthusiasm for violent forms of outdoor exercise. In company he was a better and far more agreeable talker than was ever the great author of "The Art of Dining" in his best days, before his fluency had

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degenerated into egotism and his egotism into boredom. I cannot help thinking that his "Reminiscences" were not all that could have been wished. They were entertaining enough, but he did not do himself justice in his book.

There are many more stories he could have told us if he had chosen, far better than those which he put on record.

He lived long and well, though perhaps not altogether wisely, and he apparently possessed the secret of perennial youth. I know of no man who had an equal record of triumphs upon which to look back, and in the history of the English Bar his name will always remain written as that of the last of the serjeants.

I will now deal with Sir Henry Hawkins. Lord Campbell tells us that one of the roads to success at the Bar may possibly be a miracle, but of this he had never known a well-authenticated instance. Miracle certainly had little to do with Hawkins' persistent career of prosperity and advancement. As for special pleading, I have known odds to be freely laid that he never in his life was a happy owner of a "Bullen" and "Leake." But he had no need to hug attorneys, for his own father, if I mistake not, was an attorney in very large practice; and he stuck to Quarter Session with a tenacity worthy of the terrier that accompanied him in his morning stroll in St. James's Park. At his outset, if report be true, he was not hampered with even a slight knowledge of

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law. He, however, picked up law much as he picked up wealth as he went along. In the end he acquired considerable stock of each commodity, and a natural shrewdness which enabled him to push each to its extreme length.

At Quarter Session he soon made his mark. His humour, of which he had a rich and peculiar vein, was of a kind that commended itself to rustic juries, and I could fill a volume with the stories I have heard of him. Perhaps the best is how, when cross-examining a witness whom he knew to be lying, he suddenly stopped, rolled his brief into a tube, and applying his eye to it focussed him steadily as if with a telescope. His notorious mobility of feature aided him in this manœuvre. His victim broke into a perspiration, trembled, and, if one may use the phrase, "owned up."

There were greater things, however, in store for him. He was taken up by Mr. Edwin James, who was then commencing that path of brilliant triumph which terminated so suddenly and so disastrously. He had many tastes in common with Hawkins, for, if not exactly a patron of the Turf, Hawkins was as good a judge of a horse as was Baron Martin himself in his younger days; he was not averse to play within reasonable limits, and was more than suspected of dramatic proclivities; and he was, I believe, never so happy as when mixing in what is popularly termed good company. Under the auspices of Mr. Edwin James he acquired an



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immense practice as a junior. Briefs rolled in upon him. Solicitors besieged his chambers. It was said that he never read his briefs ; I myself have my humble doubts on the subject. There were too many of them. But when he got into Court he somehow seemed to know all about the case—possibly picking it up as he went along, for his shrewdness and quickness of perception were only equalled by his power of lucid and perspicuous statement. When Mr. Edwin James left the Bar, a disgraced and ruined man, the whole of his business fell at once into Hawkins' hands. He was employed in nearly every *nisi prius* case of importance, and he had the monopoly of all heavy arbitrations. The wealth he amassed was enormous, and Serjeant Ballantine, a more able man than himself, but less fortunate, as I mentioned before, is believed to have said unkind things with regard to it.

When a certain Lord Chancellor—a rising barrister at the time of Hawkins' call—was writing Latin hymns, reading the Lessons in church on Sunday mornings, and otherwise setting an example to all good young men, Hawkins was enjoying himself thoroughly, and yet wisely with an eye to the future. If he rose early in the morning it was not to attend choral service, but to have a gallop in the Row. His wits were like a blade of Toledo steel. He was constantly trying their edge upon other people, and he became as merciless in their use as



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is a fencing-master in his craft. A man thus constituted has many roads of success opened to him.

Hawkins would most undoubtedly have distinguished himself as a pure surgeon; he would have made an admirable general. Had he lived in the days of Ancient Rome he would have been sent to administer a colony. What his peculiar abilities required in order that they might be displayed to the best advantage was a definite goal towards which a straight way had to be cut without the least regard to ordinary sentiment or ordinarily accepted ideas as to established precedent. He had a good deal of the quality of Strafford about him, and also of the great and really learned Dr. South. Among his lesser qualifications had always been a certain rough-and-ready way with a distinct breadth of flavour in it and a remarkable knowledge of the world. And throughout, from first to last, he had one great merit—a merit that some consider rare in his profession. He was very sincere. Consequently he never fought so well as when he firmly believed in his case. It may be said that his qualities were not the highest in advocacy. They were certainly the most useful, and if it be the first duty of an advocate to win his case they were the most successful. It may very well be that on severely classical grounds Hawkins was not to be ranked with Scarlett or Follett. It may be questioned, on the other hand, whether he would have cared to rank with them. But certainly there was nothing

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in common between himself and Berryer. His style was rather that of Maître Lachaud. And any man whose life was at stake instead of merely his fortune or his character would have done wisely to entrust himself to Lachaud rather than to Berryer. Hawkins was extremely eloquent. His voice was flexible and harmonious, and, like Ballantine's, had singularly pathetic tones in it. He was also a master of cross-examination. He never made the blunder of pushing a hostile witness too far and so rendering him desperate. As a well-known solicitor said of him, he never burned his fingers; and his dignity and power of commanding respect and inspiring terror were at least equal to those of Serjeant Parry, although of a somewhat different kind. In private life Hawkins was generous and open-handed almost to a fault. He was never greedy of fees, and often went out of his way—as Lord Westbury sometimes did—to render his powerful aid in what he considered cases of wrong and oppression. The great charm about him is easily named but very difficult to describe. It was the utter absence of anything like affectation. He was absolutely sincere.

No one can deny his great abilities. All respected them, although I do not say that everybody exactly envied him them. There is a record of them more than enough in the annals of the two Tichborne trials. In the first he nearly killed Mr. Baigent. In the second he all but killed a jury by describing Bogle as "An ancient negro, so white-headed that



MR. JUSTICE HAWKINS  
(BARON BRAMPTON)



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he was all white at the top and all black at the bottom." I know no happier specimen of his humour. And although for years he had few equals as a cross-examiner, I confess that to me there always seemed in his manner something metallic. This corresponded with the expression of his features, which were rigid and inflexible. He could be very funny ; but behind his fun lurked an element of cruelty. His sympathy with the oppressed used to stir even the most indifferent ; but on analysis it was found to resolve itself into a keen desire of terrible vengeance on the oppressor. I doubt, indeed, if the sorrows of the victim ever much moved him.

His qualities, and great qualities they were, showed themselves more conspicuously after his elevation to the Bench. I can conceive no more appropriate motto for his coat-of-arms than "Vengeance is mine." His summing-up was invariably lucid, and ostensibly fair ; but it was often the address of a counsel pressing the jury for a conviction, and I have repeatedly heard him, in cases where to the minds of those better able to judge than myself there was at any rate a reasonable doubt, positively directing that the crime could not possibly be reduced to manslaughter, and that there was no alternative between the verdict of guilty of murder or acquittal. He often did his best, in fact, to leave the jury no loophole for mercy, and after a very few years in which he had worn the

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ermine he gained the most unenviable notoriety as a hanging judge. One case, I shall never forget, was that of a man named Payne who was indicted for the constructive murder of a Miss Maclean by allowing and persuading her to drink herself to death. He was defended by Ballantine. Here the jury, contrary to Hawkins' express directions, returned the milder verdict of "manslaughter;" and the opening words of his sentence, with which he came into Court armed, had to be suddenly and clumsily altered, showing too plainly that he had intended to pass sentence of death in terms with all the glitter and all the edge of hardened steel.

As a *nisi prius* judge, he was somewhat more fair. His natural love of passing sentence did not come into play, his experience at the Bar aided him to see the merits of the case at once, and he was serenely indifferent and consequently, for him, reasonably impartial; while his humour had fair scope. I will say no more of him in his judicial capacity except that his enemies, of whom he had a few, I believe prepared a list of the cases in which his sentences had been followed by a reprieve or commutation.

There is a story of Mr. Justice Hawkins which I don't think is generally known. He had been presiding at the Old Bailey in the Penge murder case in which a man named Staunton and his brother, an artist, and his brother's wife, and her sister named Alice Rhodes were charged with

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murdering the wife of the first-named prisoner, by depriving her of sufficient nourishment to keep body and soul together. Hawkins summed up very strongly against the prisoners, and they were all convicted and sentenced to death. The mother of the two male prisoners went up to Balmoral to see Queen Victoria and induced her to give orders to the Home Secretary that the capital sentence should be altered into one of penal servitude for life. It is very rare indeed for the Sovereign to interfere on these occasions, but of course the Home Secretary carried out the orders he had received from her Majesty. He, moreover, went one better. Very properly coming to the conclusion that it was not incumbent upon Alice Rhodes to keep the late Mrs. Staunton alive, he decided to grant her a free pardon. Together with the other prisoners, her effigy had been placed in Madame Tussaud's Chamber of Horrors. But a letter from her solicitors to the manager of that establishment had the effect of speedily removing it.

A few years later Hawkins, who came from Hitchin, where his father had been a solicitor, was spending his vacation in that town. One afternoon he went for a walk, accompanied as usual by his famous fox terrier, and feeling thirsty walked into the road-side inn and asked for a bottle of ginger-beer.

"Here it is, my lord," said the barmaid.

"You seem to know me," said the judge.



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"I think I ought to, my lord. You sentenced me to death once. My name is Alice Rhodes."

Another interesting story about Hawkins was told to me by poor Geoghegan, one of the best defenders of prisoners during the last thirty years.

A tradesman in the Strand was indicted at the Central Criminal Court for arson. All elements of guilt were present in this case.

In the first place he was over-insured; in the second place he was in a very impecunious condition; and in the third, fires broke out in his house in four places at the same time, ranging from the kitchen to the attics.

He was defended by a solicitor when before the magistrate, who very properly committed him for trial. At the Old Bailey Geoghegan was instructed for the defence. After perusing the depositions Geoghegan said to the solicitor, "There is no defence here. You had better advise your client to plead guilty. This is the last case of the day, and I have no doubt that the judge wants to get away. Your man will get a much lighter sentence if he does this."

The solicitor went to the prisoner and gave him the counsel's advice. But the man utterly declined to adopt it; in other words, he insisted upon having a run for his money. The solicitor reported what had taken place.

"If you don't mind," said Geoghegan, "I think I had better speak to him myself."

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"It is very kind of you, Mr. Geoghegan, to offer to do so. I will take you down to see him."

Geoghegan went down to the cells and interviewed the prisoner, and strongly impressed upon him the advisability of following his advice.

The prisoner said, "I hope you have been paid, Mr. Geoghegan, for defending me."

"Of course I have been paid," answered Geoghegan.

"Well, then, please do the best you can for me. I am going to risk it."

"You are very foolish," said Geoghegan. But, finding that he could make no impression upon the prisoner, he returned to Court.

The trial came on. The counsel for the Crown opened the case in the most vindictive way that he could possibly have done, and he proved his case to the hilt. Geoghegan made a most impassioned speech for the defence, but, of course, believing all the time that it was absolutely useless.

Hawkins began to sum up, and, to the surprise of everybody in Court, began to pick some of the plaster off the walls in the case for the prosecution.

"Gentlemen of the jury," he said, "it is a very serious case against the prisoner, and before you can convict him you must be absolutely satisfied in your own minds that he committed the act. Of course, gentlemen, the verdict is yours and not mine. I was greatly struck with some of the arguments which fell from the lips of the learned

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counsel for the defence. Give full weight to them while you are considering the verdict."

The jury retired and shortly returned with a verdict of "Not Guilty." It was the last case of the day, and the audience trooped out of Court. Geoghegan remained to have a few words with a solicitor with reference to a case in which he was engaged on the morrow. The judge was still sitting on the Bench writing a letter, and seeing Geoghegan, he beckoned him up to speak to him. When Geoghegan reached him, Hawkins said, "Well I got your man off for you, Geoghegan."

"Yes, judge, and now it is all over, I may tell you that I advised him to plead guilty, as I thought you might give him a lighter sentence."

"You did quite right," answered the judge.

"And now," asked Geoghegan, "will you forgive me if I ask you why you did it?"

"Your opponent was so damned vindictive," said Hawkins, "that I thought I would teach him a lesson."

Most people in this world act from mixed motives, and it is quite possible that the judge may have wished to see if he retained the old influence which he exercised when he was a brilliant advocate at the Bar.

In spite of ill-natured stories, Hawkins was in private life a most amusing companion. He was utterly devoid of affectation; and he did many acts of kindness of which the outer world has heard little or

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nothing. It is a pity that this better side of his nature should have been masked in steel armour.

I will now deal with the late well-known judge, Sir James Stephen. His career at times fluctuated, but in the result he achieved a distinguished success. His father was a K.C.B. and LL.D. and Professor of Modern History in the University of Cambridge. He was also Under-Secretary of State for the Colonies, and I have little doubt bore his honours modestly enough. The man who tries everything—the University, the Bar, Literature, and the Civil Service—is apt to discover that to make an omelette you must break eggs, and that upon the whole it is better to dine with your friends. I do not question that the Right Hon. Sir James Stephen did the best he could for such a promising son. The judge was educated at Eton and at King's College, London, and at Trinity, Cambridge, and I confess it difficult to determine at which of these three places of learning he acquired his scholarship and at which his manners. From Trinity he proceeded to the Bar, and in fourteen years became a Queen's Counsel and a Bencher of his Inn, with the lesser distinction of a Recordership of Newark. How these honours came to him I am not unable to divine. He was always hard-headed, active, and pushing. He had, into the bargain, an immense physique. He was always an inveterate talker and a persistent writer. He foresaw that Law Reform

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must sooner or later become a cry, and he carefully identified himself with it. Whenever any piece of progress had been actually effected, he was always at hand to do the shouting and to claim the credit. Articles appeared in the *Times* and in the *Saturday Review* and in the *Pall Mall Gazette*, of which he was reputed to be the author. He from the first believed in himself, and from a certain burly habit of good-natured self-assertion forced his betters to believe in him with great confidence. Thus it came about that he was appointed Legal Member of the Council of the Viceroy of India. Either India failed to appreciate him, or he to appreciate India, for before his years of service had entitled him to a pension he returned to England.

His legal works are many and voluminous, but I am not aware that they are in general use or that their reputation is likely to survive his own. He wrote a "General View of the Criminal Law of England," a "Digest of the Law of Evidence," a "Digest of the Criminal Law," and an unconsciously funny tractate on "Liberty, Equality, and Fraternity." He also hashed up some of his old articles in the *Saturday* and elsewhere, and entitled them "Essays by a Barrister."

After he became a Queen's Counsel his practice was said to have fallen off. Solicitors regarded him as a legal Bounderby, with a considerable infusion of the Podsnap element. There was no chord of conciliation in the fibre of which he was composed.

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He was incapable even of the affectation of modesty. Lord Beaconsfield called Goldwin Smith "a wild man of the cloister." Stephen was always a university professor let loose upon the Bar. With the sublime conviction of his own infallibility, he trampled through recognized precedents, established maxims, and even statutes, with the solid energy of a rhinoceros making a progress through a rice-field.

He had, however, powerful friends behind him, and his sublime indifference to every opinion but his own did him good service. Above all he carefully worked his connexion with the Press. No one was anxious to feel the rough end of his tongue in the *Pall Mall Gazette*. He began to suggest that a thorough reform in the Inns of Court was imperatively needed, and he was soon appointed Professor of the Common Law to the United Inns. He touched on prison discipline, and on the shortcomings of our country magistrates, and the Treasury and the Home Office suddenly awoke to the fact that he was a man whose services to the State deserved recognition.

When at last he became a judge, and achieved what ought to have been more than the reasonable limit of his just ambition, his personal failings became exaggerated. His manner was violent and overbearing. He did not conceal the fact that he regarded the jury as fools, the Bar as ignorant of the Law, and solicitors as knaves. All this he



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ostentatiously paraded. A rebuke from the courts above did not seem in any way to affect him. Once sitting as Judge in Chambers, practically he ordered a man out of Court, because his claim was for the settlement of the defendant's bets, and he clamorously expressed his opinion that no such claim was sustainable at law. A fortnight later the Master of the Rolls, in a brief but carefully worded judgment, contemptuously put him right.

It was apparent to those, like myself, who watched his progress that he carefully selected Dr. Johnson as his model, with a complacent assurance that the part was one upon which he could improve. Herein his anticipations were not altogether verified. If he had wished to know the precise estimate at which he was held, he should have exercised his judicial faculties, and compared himself with Bramwell. Bramwell had the calm self-possessed strength of a giant. He was not aware of it himself, but the Bar knew it, and his enemies feared him. Stephen used to bluster and ramp like Æolus in his cave or the Cyclops in his grotto. Had I been called upon to criticize succinctly his bearing on the Bench I should have said that he had more force of manner than of character.

Stephen was saturated with a belief in his own omniscience. He had greatness thrust upon him, and he could not accept the fact with equanimity. His manner on the Bench showed sufficiently that he never forgot his connexion with the *Pall Mall*



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*Gazette*, and his judgments read as if each were a leading article awaiting the brilliant finishing touches of Mr. Frederick Greenwood.

His political career—if he could have laid claim to one—could hardly have been called brilliant. He was an unsuccessful candidate for Harwich and afterwards for Dundee. His defeat was in each case inevitable. He was a Liberal by profession, and by instinct an Imperialist, entertaining a serene contempt for all those whom he did not consider his equals, and evincing as much in every gesture and every tone of his voice. It was unfortunate that his inordinate personal vanity should have so outgrown his best qualities.

Sir George Lewis was in more ways than one a remarkable man. Many years ago his father and his uncle carried on an extensive business at Ely Place. There were people who declared that James Lewis, Sir George's father, was the original of Mr. Jaggers in "Great Expectations." James Lewis was an extraordinary man. He never forgot anything, and he never allowed the world for a moment to suspect that he remembered anything, or knew anything, or doubted anything. Whenever difficulties occurred the solution of which called for the judicious expenditure both of time and of money, his services were put into requisition. Nothing ever astonished him, or even for a moment ruffled his equanimity. He could always tell you

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exactly what you wanted to know, and contrive to have done for you exactly what you wanted to be done. The real secret of his power lay in the fact that he made it his business to know everything about everybody. You could never tell how much he might not know about yourself; and you would indeed have wanted a marvellously clear record to have made it impossible for him to have fixed you with an embarrassing question. Such was the business aspect of his character. His private life was simple to the last degree. He spent little, and saved a great deal. I might safely say that he never lost a client. You could give him your fullest confidence and could rest assured that your disclosures would never be turned against you. He was, indeed, a very wonderful man. I have often wondered whether he was fully conscious of his own abilities. He pursued his profession much as Cavendish pursued chemistry. He never pushed himself. He never affected to mix with the upper circles of society. His private life was retired. A prince might visit him at one moment—professionally, of course—and a burglar, or a receiver of stolen goods at the next. Each, from his own peculiar point of view, was a client, and nothing more. And, when once the business was over, he forgot all about it, or at any rate acted as if he did. He was like the well at Carisbrooke Castle, and his secrets were as dead as a stone dropped into it.

Brought up by such a tutor, Sir George's natural

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abilities enabled him to do justice to his education.

He must have known very many strange stories, for he was the confidential adviser of innumerable persons of position. I say "confidential" advisedly; for the majority of his clients needed his aid to relieve them from unpleasant difficulties. And he was reported to possess powers of persuasion, and, if need be, even stronger gifts, by the dexterous use of which he could avoid unpleasantness and find a comfortable, if not always a cheerful, solution for the most intricate social problems. In these delicate negotiations he was aided by the reputation which he inherited, by that which he acquired for himself, and by his own gifts of shrewdness and vivacity.

Nor was his clientèle entirely aristocratic. City men believed in him. He was considered to be a pilot who could sail, or give orders for sailing, nearer to the wind than could others. In this respect, however, there used to be a gentleman of sagacity superior even to his own, whose name I need not mention. Name and nature in him were admirably assorted. He never issued a writ, or entered an appearance, or otherwise dirtied his dainty fingers by ordinary work; but he was always ready to advise clients of large financial interest exactly how far they might safely go, and at what precise point it would be prudent for them to stop. This man—and no one knew him better than Sir

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George—had about him a cold-blooded power of self-restraint, in which the latter was somewhat deficient.

I must give a funny anecdote that he himself told me, when one day I was consulting him in his sanctum at Ely Place.

It concerned Charles Mathews, the famous comedian, and a great friend of his. "I have heard, George, once or twice lately," said Mathews, "that your firm are a set of damned thieves. You know that I should always stand up for you, and my reply has been, 'I don't know what you mean by "damned thieves," but all I can say is that they have done my business for thirty years, and I have never paid them a farthing, nor have they ever asked for one.'"

I know of no man at the Bar whom I respect so much as Sir Harry Poland. He has now retired from active practice, but I am glad to say that whenever I come across him he is looking as fit as ever. In my early days at the Bar he was extremely kind to me, and I have never forgotten this. He chose a particular line in the profession and he made it absolutely his own. He was master of his art, his opinion was beyond dispute, and in addition to all this there was something picturesque about him. He was a very terrible man. As he went along the street every detective, every police officer on duty, nearly every cab-driver, and every thief recognized him. I have watched him passing down the street

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and have observed the winks and the jerks of the thumb that have followed him the moment his back was turned. He was the terror of evil-doers. He was on first impression the most absolutely impenetrable man I ever met. He came into a police court and sat down as if nothing on earth was the matter. His clerk handed him a ghastly black valise which contained his papers. The magistrate acknowledged his presence, and he made a little bow that intimated he was in no hurry and could wait all day. I dislike personality, and I have a strong attachment for him; but the cast of his features is as immovable as that of a Sphinx or of a Nuremberg nut-cracker. I hope that he will forgive me, but I used to writhe with suppressed laughter when I saw him rubbing his hands between his knees as if he were concerned in some common assault when I knew that he was busied with a murder, or a forgery, or an arson, to which he was giving his entire attention.

Poland was an extremely dangerous man. He had a positive genius for prosecution; and he improved it by persistent practice and most assiduous study of the criminal law. He was the Moltke of criminal procedure. He never missed a point. He never overlooked a fact. He treated a case as if it were a Chinese puzzle or a problem of chess, and for this reason it was very difficult to follow him. He put questions of which even the police did not see the bearing. It seems to me that when a set of

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papers came to him he must have just asked himself the question, "How I am to secure a conviction?" He then began to put the evidence together, and he was certain to bewilder any mind, however specially trained; because it was impossible to judge from the cards which he played what might be the cards which he held in his hands. He would, for instance, call a booking-clerk to prove the issue of a railway ticket; and an inspector to prove that only one passenger left the train at a particular station. The bearing of all this is not at first obvious; but he was all the while snaring his man inch by inch. He developed to a most marvellous degree the power of putting together apparently unconnected facts and drawing from them an absolutely irresistible conclusion. In the Lefroy case he showed this peculiar talent very wonderfully. Every detail had been mastered by him. He knew the exact time of the trains, the distances of the lines, the gradients, the lengths of the tunnels, and I believe he had in his own mind an exact knowledge of every incident and circumstance of that strange crime. Hence it was that he was so dreaded. What was to be done in the way of the defence when he appeared for the prosecution? He made no pretence of eloquence. He never called down thunder from Heaven. He never appealed to our better instincts or to all that is upright and noble in our nature. He never reminded the jury of the solemn oath which they had



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taken. He never bullied a witness, or shook his fist at him, or made jokes at his expense. He went on with his case mechanically as if he were a Babbage's calculating machine. He asked a question—he got his answer. And out came the result, correct to the twentieth place of decimals. Who was at the Bar to answer him? One might as well gnaw a file. Montagu Williams could often successfully hoodwink a jury, and his peculiar vein of humour was very effective. Besley could perform in his peculiarly ponderous and elephantine manner. The other members of the Old Bailey Bar were beneath his notice. It is a pity that with his great ability he should not have occupied a position much more distinguished.

I am happy to know something of his private life. He is almost ascetic in his habits, and amongst other things economizes both time and money. I hope it is not a liberty if I suggest that he can hardly have spent a fraction of his income. But he is known to be extremely generous. Like Mr. Wemmick in "Great Expectations," he had one set of opinions for the Court and another for Walworth. Sir Harry Poland's own particular "Walworth" is on the banks of the Thames. I know a good swimmer, and I admire a man who, like him, used to plunge head first into the river every morning all the year round.

His stony-hearted manner and aspect were the merest mask. They did not deter those who knew



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him. He put them on to keep up appearances. In reality he is the most genial of men.

If I had been in a difficulty and wanted advice I should have gone to him. I know no man who takes a broader view of human nature than himself. Out of the hundreds of criminals whom he dealt with I do not believe that any one bore him malice. He was regarded as a necessary institution. He was "Old Poland." They knew he would do his duty, and in a dim, muddle-headed kind of way they respected him for doing it. He has many qualities upon which I could wish to dwell. He has a keen sense of humour which, coupled with a remarkably tenacious memory, makes him an inimitable raconteur. He is also decidedly clubbable, and I have heard it said that he is the most popular member of one of the most popular clubs in London. He is as fair and as just as he is patient. If I had a quarrel with my own brother I should put the matter into his hands and abide by his advice. I have never heard a complaint against him beyond a growl to the effect that he made more money than he could spend, and this I disregard for reasons already given.

I have noticed from my own personal experience that children and animals take to him, and are charmed by him. And when in active practice he rejoiced in the services of a clerk who seemed to have acquired much of his good nature without those formalities of bearing which Sir Harry Poland very properly assumed in Court.

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The late Lord Selborne was a conspicuous example of the fact that in this Christian country a good young man can always make his mark in life. He was always a good young man. He never did anything wrong or naughty. His sympathies were always on the side of everything that is decorous and becoming and respectable. I could never see him, whether in his robes or out of them, without an uneasy suspicion that his bib and his apron had been left at home. There is a very wicked poem written by a man called Shelley, in which we are told of a certain Peter Bell that

His eyes turned out, his toes turned in,  
His accents caught a nasal twang ;  
He oiled his hair ; there might be heard  
The Grace of God in every word  
That Peter said or sang.

Lord Selborne was the Peter Bell of the Equity Bar. His father was a country parson, with charge of a parish having some such name as Mixbury or Pigbury, the sort of place to which bishops present respectable young curates who have married their wives' nieces. Selborne went to Winchester, and I have no doubt that he was a very good little boy, and was never "tunded." At Winchester he learned the good old maxim, "Manners makyth man." Many, unhappily for themselves, can never acquire the charm of manner. His manners made his fortune.

After being a good little boy at Winchester he

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went up to Trinity—Oxford—and was one of the best little boys that ever attended his tutors or went to chapel. He never got into trouble. He never knocked in late. He never used bad language. He never missed a Greek Testament lecture. He never smoked or kept a bull-terrier, and he was always very nicely dressed.

His father at Mixbury, and his masters at Winchester, each managed somehow to knock some Latin into him, either at one end or the other. I knew two men who had read his prize poem on "Numantia," and they said that it has brought tears into their eyes. He also wrote a prize essay upon the relations between the Roman patron and the Roman client, and he thereby superseded Justinian, who has not since continued an authority upon the subject.

He became a Fellow of Magdalen, and he went to the Bar. The moment he was "called" he began to get on. There is a very eminent firm of solicitors somewhere in the neighbourhood of the Bank, and not far from Moorgate—perhaps they liked his poem on "Numantia;" anyhow, they took him up—I speak of this firm with bated breath, as Major Pendennis used to speak of Lady Rockminster. It is a firm which can take a good little boy fresh from school and turn him into a Lord Chancellor. It rendered the country this inestimable service by taking up young Mr. Roundell Palmer, and never losing sight of him until he became Baron

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Selborne. In England a big firm of solicitors can take up a good little boy who never told a cram, and who never said—something or other, and can make him keeper of the King's conscience. This was done for him. How Lord Westbury must have laughed! I verily believe that he had Selborne in his mind when he said we were the most solicitor-ridden country in the world.

Lord Selborne was called to the Bar in 1837, when he was about twenty-five years of age. In 1849 he took Silk. Twelve years later he was made Solicitor-General, and in 1863 he became Attorney-General, a promotion only to be followed by his appointment as Lord Chancellor, and his elevation to the Peerage.

Lord Beaconsfield has often impressed upon his readers what a wonderful thing is feminine influence, and Selborne's marriage with the daughter of Lord Waldegrave was one of the most fortunate things in his extremely fortunate career. It was reserved for him to be the striking example of the last century of the truth of the Psalmist's words, "Never saw I the righteous forsaken."

For many years he sat in the Lower House, and although he was fully equal to the exigencies of his Party, he did nothing there to make himself remarkable, or to add to his reputation. For many years he resided in Portland Place, and earned the ill-will of most of the residents in that excellent thoroughfare by his having caused the numbers of

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the houses to be altered, simply because there was another individual named Palmer who lived in the street and Selborne suffered some slight inconvenience through occasional mistakes. I recollect that the number of my father's house in Portland Place was altered from 44 to 43.

Selborne was a very good lawyer. He had read, he had thought, and he had practised. But, as compared with real earnest men, he had nothing much to fall back upon except his piety. He was afraid of Lord Cairns. Bethell used to insult him with impunity. We sent him to Geneva to protect our interests and New York laughed and sent over Caleb Cushing. Selborne was no doubt a very learned man, but he never got over the fact that Caleb Cushing had the best of him.

He made a very respectable Lord Chancellor. People believed in him because he was supposed to entertain religious scruples, and it went against his conscience that the Irish Church should be dis-endowed. Then, too, he gave some very handsome windows of stained glass to the Chapel of Magdalen College. He used to take a great interest in the Established Church and assisted needy curates with his discarded clothing, or other such inconsiderable trifles. He did, unless I am mistaken, compile a volume of family prayer, put together a collection of hymns, and I am told that he accompanied himself very pleasingly upon the harmonium. I could have forgiven him all these little

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weaknesses if he had not affronted the memory of Gilbert White. I have heard what Lord Westbury used to say of him. I wonder what Gilbert White would have thought?

Barristers, whose opinions I respect, tell me that he was a great lawyer. I should rather have called him a plausible arguer. But he was industrious, he was earnest; from first to last he was always a gentleman. His only misfortune was that he had always been too good by a very great deal for this shockingly wicked world. The very idea of wickedness made him groan audibly. He missed his vocation in life. He ought to have been Archbishop of Canterbury. Whether the present Archbishop would have made as good a Lord Chancellor as Selborne I dare not conjecture.

Sir George Jessel had a "Dr. Fell" objection to Roundell Palmer, as Selborne was then.

*Non amo te Sabidi, nec possum dicere quare  
Hoc tantum possum, dicere non amo te.*

As will be recollected by all who knew him, Jessel had a habit of dropping his h's. Seeing Roundell Palmer coming into his Court one day, he said to a colleague, Vice-Chancellor James, "'Ere comes that 'oly 'umbug, 'umming a 'ymn. 'Ow I 'ate 'im!"

I will now give a few of my impressions with regard to a great lawyer, the late Lord Cairns. I will be frank enough to admit at the outset that



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I had no great liking for him. I will go further than this, and I will say that I did not altogether respect him. But for his great abilities I had the most sincere admiration, and I know persons of a great deal better judgment than my own who were entirely of the same opinion.

The future Lord Chancellor did not come of a distinguished lineage. This circumstance in itself bears evidence to his talent. In spite of the fact that he was only the second son of William Cairns, of Cultra, in the County of Down, he yet by his own almost unaided energies and force of character succeeded in making himself Lord High Chancellor of England. On his coat-of-arms were three martens or swallows—birds of high flight; the supporters of his Lordship's shield were a pair of hawks—birds that never miss their quarry. His Lordship's motto was "Floresco."

Lord Cairns seemed to act upon a precocious knowledge of the present world, a shrewd anticipation of future chances, and, it may be, a laudable desire to hedge the probabilities of the world to come. I may add that when at Bournemouth he was able to expound on his own account doctrines far higher than those of equity. I always had an uneasy suspicion that he must have profited largely by the terrible example of the late Lord Westbury. That misguided nobleman once, in a strange fit of irony, addressed a meeting of the Young Men's Christian Association, at which he assured his



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listeners that he owed such little success as he had in life to the sedulous study of the Holy Scriptures and to an unremitting endeavour to follow out their precepts. This was after he had left the Woolsack for ever. I almost suspect that this terrible old man must have had one of his mind's eyes fixed upon Lord Cairns, another on Selborne, and—I tremble as I suggest it—his tongue in his cheek.

Early in his career Cairns was not so much the good young man as the model young man. He made his mark at Trinity College, Dublin, where his conduct as a student was even more irreproachable than distinguished. He went to the English Bar, to which he was called at the age of twenty-five. Eight years later he was elected for Belfast in the Conservative interest, and his enemies asserted that his Conservatism had always been of the most genuine orange tint. Four years later Silk was given him, and he became a Bencher of his Inn. Two years later he became Solicitor-General. From that moment his progress was assured. He was Attorney-General at the age of forty-seven, Lord Justice of the Court of Appeal in the same year, and two years later Lord Chancellor of England.

It was with the utmost reverence that his Lordship was regarded in a strictly legal aspect. He was a very great lawyer. His judgments were marvels of lucidity. Lord Selborne was always endeavouring to support his propositions on the ground that they must be law because they were so

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indisputably moral and right. In this method of argument there was a certain mistiness of view into which Lord Cairns was never betrayed. Law to him had always been law, and nothing more. He regarded it as Peter Bell regarded the primrose on the river's brim. He settled several points in his time, but he was even more famous for a marvellous aptitude in applying established principles to unforeseen conjunctions. His judicial capacity was his strongest point. He was distinctly second to Sir George Jessel—which is saying a very great deal.

Lord Cairns was also a politician. Some people said he was a great orator. In this view I cannot entirely concur. His style was somewhat metallic and unsympathetic. It convinced, it even controlled, but it did not charm. It was an intellectual treat to see him leaving the Woolsack, and to listen to his exposition of a new Bankruptcy Bill, or a Bill enabling married women to do something or other none of them desired. Here he was in his element. As a debater he was too aggressive and merciless. Where other politicians of no greater eminence than himself effectively wielded the lightning, it was his preference to hurl solid masses of chilled steel. He never attempted to persuade or convince but rather bore down upon his opponent that of the resistless strength of a hydraulic press, and his diction was that of a mathematician demonstrating a proposition in geometry rather than that of a statesman dealing with a Representative Assembly. He was a great

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power in the Conservative Cabinet, and on one occasion he was believed to have considered that the Conservative Party should have invited him to assume its leadership. That he should have laboured under this delusion is only a proof of the immense difference between himself and Lord Beaconsfield. His conservatism, like his piety, may possibly have been thorough and sincere, but like his piety it was also forbidding—if not positively repulsive. In an emergency he would have made an adequate and vigorous Dictator, but it is impossible that he should ever have been a successful Party Leader. He had infinite art, but it was not sufficient to cover his other defects of disposition and temperament. He reminds me of an old saying attributed to Abraham Lincoln. He made himself what he was, and can so far claim to have been considered a success; but at the same time he relieved Providence of a very great responsibility. Those who were able to admire him most were those who liked him least. Were I to be asked if anyone loved him, or if he could possibly attach anyone to him, I should be entering upon a field of speculation too remote to be practical.

I have heard the late Lord Chancellor expound the Scriptures, and I still survive to marvel at his clear-headedness. It was a redeeming feature in him that he was a good shot, and even when advanced in life was still fond of a good tramp over the heather. His innate spirit of combativeness

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could not possibly assume a more attractive shape ; for whether as a lawyer, as a statesman, or as an exponent of that peculiar form of Gospel Truth which he affected, he was always alike aggressive, uncompromising, and merciless.

I may say of him, indeed, as Butler said of Hudibras :

For his religion, it was fit  
To match his learning and his wit.

When upon the moors, however, it was reported that Lord Cairns actually unbent.

Montagu Williams was one of the most remarkable men I ever recollect at the Bar. I believe that he was educated at Eton, and from there he went into the Army. He did not seem to find that a military career exactly suited the peculiar scope of his genius, and he was irresistibly attracted towards the drama. There is a simple and almost electric link between the stage and the Bar, and his native shrewdness soon taught him that even in leading parts he would be hiding his talents in a napkin. He had married a very amiable and accomplished lady connected with the stage, but he aspired to higher things, and he accordingly entered himself in an Inn of Court and began to eat his dinners. In this he followed the example of the great Mr. Serjeant Wilkins—the original of Mr. Serjeant Buzfuz. That learned gentleman, as I have already said, having for many years gone circuit as a clown, felt satisfied that he had

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reached the highest rung of the theatrical ladder. He forsook the sawdust and donned the horse-hair stuff. Montagu Williams showed equal foresight and courage. He played his cards uncommonly well, and I am sure that there was nobody who ever grudged him his success.

He began at the Middlesex Sessions—which was at that time about the rowdiest court in the civilized world. His theatrical instincts gifted him with a manner which a common jury found irresistible. He did not exactly wink or wag his head, or slap his leg, or put his tongue into his cheek. He had learned that exaggeration is over-acting, and did all these things at once in a manner decorously subdued. If I may use the phrase, “he took.” And, in addition to this, he had friends who rallied round him and who proved a very valuable clique. He had great talent, and talent will always make its way. Before long he became the Frank Wootton of the Middlesex Sessions. He could nearly always win a case by hard riding at the finish. Licensed victuallers, music-hall proprietors, occupiers of houses in and about the Haymarket and Trafalgar Square, and followers of callings even more doubtful than these, acquired a well-grounded confidence in him. Every one watched him flourishing like a bay-tree. And he had more than talent, he never took his eye off the main chance. He was industrious, persevering, and, in the earlier portion of his career, courteous.

From the Sessions he soon found his way to the

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Old Bailey, and there again he did remarkably well. At one time the practice of that Court was divided between four men—Poland, Douglas Straight, himself, and Besley. I institute no comparison. All four of them were brilliant, each of them in his own way. Poland was methodical and deadly. Straight—afterwards a judge in India—was polished, acute, and plausible. Besley was solid, and common jurors accepted his small beer as a very good example of genuine thunder. Montagu Williams was vigorous, energetic, and incisive. He went at a case much as a trooper of light cavalry charges a battery, and he got on.

There is nothing, however, more fatal to a man at the Bar than to get into a groove, unless indeed the groove be a very good one. Williams got into the criminal groove, and there he remained for the rest of his days. I was sorry for this, because he had in him the making of better things. He was Junior Counsel to the Treasury in all criminal cases. It would have been a scandal if anyone else but himself had been appointed to the post. He never acquired any large practice in civil cases, nor created any jealousy in Westminster Hall. The late Sir Thomas Henry said of him that he was one of the few men who could grasp the points of a case. He was quite right. Williams picked out the strong points and the weak, and he concentrated himself upon them. His cross-examination was always good. As a speaker he was often unequal to him-



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self. He was jerky. He reached a climax and dropped disastrously again. It was evident that his orations were not prepared. I may also add that his manner, specially towards those of whom he took precedence, was petulant and exasperating, if not positively insolent. It is my private opinion that he owed very much to his theatrical experiences. The muscles of his face were remarkably mobile, his mouth was full of expression. He knew how to snarl and snap his teeth, and to wink at the jury. All this is not a very high style of forensic art, but it is effective.

In private life he was by the pressure of his business necessarily confined to a small circle of friends. Among these he was deservedly popular. His age was a mystery. Year after year passed, and he never looked a day older. For myself, it was a pleasure to see him eternally young. Like the late Major Astley Sparke, who may or may not have been his contemporary at Eton, he retained all the polish and all the vivacity that distinguishes the young man of that illustrious school. He could tell a good story ; he was apt at private theatricals ; he was fond of lawn tennis, and of fishing, and of poker. He was as well known on the banks of the Thames as at the Old Bailey. He was a patron of the drama. He belonged to a good many clubs. He was well known about town. He made money, but he had too much energy to give up work. He was made a magistrate, and an excellent appoint-



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ment it was. He died in harness. His career had been successful and occasionally brilliant, but it was that of a shooting star rather than that of a planet. I could never see him, whether in Court or across the dinner-table, without a dim notion that the green shades were between us. He was, however, in spite of his irritability, a good fellow. He was kind to men younger than himself. He was generous, and sometimes warm-hearted. I never heard anyone accuse him of a mean or dishonourable action. And to say this is to say a great deal of a man who had passed the greater portion of a somewhat chequered career at the Bar of the Clerkenwell Sessions House and at the Central Criminal Court.

There was a certain judge when presiding at the Assizes at Nottingham who got into an entanglement with a lady. I was saying to Montagu Williams one day how foolish I thought the judge's conduct had been. "Have you ever been to Nottingham?" he asked me. "No," I said. "My dear Phil," he replied, "it might have happened to a bishop."

The popular impression with regard to the famous Mr. Benjamin that he was an American was altogether erroneous. He was born in England, of English parents, and always remained an English subject. However, he was full of enterprise, and it consequently occurred to him to try his fortune in the United States.

He did splendidly. He had a natural instinct for law. Points that perplexed everybody else gave

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him no trouble whatever. When before the House of Lords he did not limit himself to our English cases, but quoted from the reports of the Supreme Courts of the United States, of Belgium, of France, of Italy and of the German Empire. He was always right. He was the most cosmopolitan lawyer in the world. He went to the United States, and, as it is termed, made his pile. I believe that he lost that pile somehow, but he made it over again. While he was still young he was the leading lawyer in New Orleans. He coined money; it flooded in upon him. Two or three years devoted to practice enabled him to retire for the remainder of his life. But he was always vigorous and energetic, and he threw himself into the arena of politics. The North and the South began to quarrel, and the result was what the Yankees from Massachusetts and New York called "the Rebellion." Benjamin was the spirit of that war; he knew the constitution of the United States much better than did De Tocqueville; he also knew more than he did, for he knew the situation of every other civilized State in the civilized world. It was his opinion that the Union exceeded its powers when it interfered with the domestic legislation of any particular State. He was right in this, and it was upon the strength of his advice that the Southern States went to war. We hear of Jefferson Davis, of General Lee, and of Stonewall Jackson. They were mere clay in Benjamin's hands. He ran up and down the South,

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he got on the stump, he forced his opinions upon the people, he was the soul of the war. Jefferson Davis followed his advice to the letter. He was his lieutenant, and nothing more. And if the South had only had money behind it, Benjamin would have done as much to change the history of the world as ever did Mahomet, or Mirabeau, or Napoleon. The fates were against him. The Rebellion, as the Yankees called it, was crumpled up. Benjamin lost a second fortune and had to run for his life. Had Butler or Shearman got hold of him it would have been a bad business for him. He made tracks across the country on the back of a mule through the swamps of Florida. He managed to persuade the skipper of a coaster to take him on board.

Although he had lost his second pile—and it was a very large fortune—he treated the matter as lightly as if he had been lending a friend a five-pound note. He came over to England, and in England he began to make his third pile. At first he wrote on dog's wages for a daily paper, but before long he made his mark. Lincoln's Inn, to its honour, recognized him as Attorney-General of the Confederate States, and called him to the Bar, dispensing with all troublesome formalities. He went the Northern Circuit, and he jumped into business at once. Every broker, every merchant, every skipper, every solicitor in Liverpool had heard of Benjamin—of Benjamin, the great lawyer of New Orleans—of

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Benjamin, who knew more law than any lawyer in the United States ; of Benjamin, who had been the soul and spirit of the war, of Benjamin, who had piped while Jefferson Davis danced. He was a great man, and he was a greater man because he did not seem to know it.

Why he succeeded at the English Bar everybody knows. He owed something to the judicious patronage and the strong personal friendship of Lord Cairns. He owed more to his immense learning, his marvellous vivacity, and his dauntless power of self-assertion. He made a larger income than any man at the Bar in his time. He commanded the House of Lords, the Privy Council and the Court of Appeal ; and he addressed these august tribunals absolutely indifferently. I will mention one out of the many cases in which he distinguished himself. It was the *Franconia* case. For three entire days he was knocking the right view of the law into the dull heads of the judges who constituted the Court for Crown Cases reserved. He succeeded, and he settled for ever one of the most difficult points of international law. Benjamin made law, and that is saying a great deal.

He was an excellent guest, and a still more excellent host, and he had all the natural flood of spirits of a schoolboy. No preferment ever tempted him. I myself should have liked to have seen him Lord Chancellor, but he needed no higher distinctions than those which he enjoyed. He had

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not only a European but a world-wide reputation. It was an intellectual treat to hear him argue a case. There was not a judge on the English Bench, there was not a Law Lord in the Upper House, but was afraid of him. Being interrupted one day by a Lord Chancellor, Benjamin snapped up his brief as if his Lordship were a person upon whom argument would be wasted, and calmly walked out of the House. He was a master of learning, of genius and of courage, and yet he was the most modest and unassuming little man in England and the most kindly-hearted. He employed a clerk named Williams who was a perfect treasure in his way—astute, diplomatic, amiable, a great favourite with all Benjamin's clients, and entirely devoted to his interest.

Joseph Chitty as a lad at Eton and at Balliol College, Oxford, distinguished himself not only at those athletic exercises in which he was all his life so remarkably proficient, but also as a scholar of the highest type. On being called to the Bar his practice was entirely confined to the Equity Courts. He possessed that rare combination, extreme cleverness and a love of assiduous work. From the commencement of his career as an advocate he always commanded a very considerable amount of attention from the Judicial Bench, and as a very young man received a high compliment from the Lord Chancellor. In 1874 he took Silk and continued his rapidly increasing practice in the Rolls Court. Although apparently unknown at the time, it was

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not long before he made his mark and became the leader of the Court. There was great sympathy, if not a sincere affection, between himself and the then Master of the Rolls. They thoroughly understood each other, and it was a wise litigant who, having a case coming before Sir George Jessel, was prudent enough to retain Chitty's services.

In 1881, being at the time Member for Oxford, he was raised to the Bench. As is the case with many successful lawyers, he did not particularly shine in the House of Commons, and I venture to say that he quitted the political arena without any great regret. On his elevation to the Bench he renounced all his athletic pursuits, for he felt that their continuance was somehow or other scarcely compatible with his dignity as a judge. This self-sacrifice on his part caused a considerable amount of good natured chaff at the time.

No matter over what tribunal he presided, he was a singularly efficient judge, and, indeed, he was almost the only Equity Judge who knew how to deal with common law and criminal matters. Mr. Justice North, when sitting at the Central Criminal Court, was a fish out of water of the most pronounced type, and the exhibition he occasionally made of himself was painful to a degree ; but Chitty in the exercise of his judicial functions was always equal to the occasion. His decisions were erudite, sound, and gave such general satisfaction that they were rarely appealed against.



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He was on such excellent terms with Mr. Romer, Mr. Ince, and others of his old colleagues in the Rolls Court that the utmost good humour always prevailed there, and his court formed a pleasant contrast to others which I will refrain from mentioning, where bickerings and wrangles of the most unseemly description were the rule rather than the exception. His talents were of the most versatile description. In addition to his mental and physical capabilities he was an excellent musician and a brilliant player upon the piano and violin. He was a prominent volunteer and a major of the Inns of Court Regiment, and one of the most formidable lawn-tennis players in the kingdom. He was the pet instance of *mens sana in corpore sano*.

When at Oxford he rowed in the University eight against Cambridge three times at Putney and on one occasion at Henley, and for many years he acted as umpire in the University contest.

Although he was the best tempered man in the world he would stand no trifling. I shall not forget in a hurry the manner in which I once heard him address a somewhat impertinent young gentleman who was doing his utmost to try his patience. "Mr. X.," he said, "you are putting my good nature to a very severe test; I advise you to be careful." Mr. X. subsided.

He was nicknamed Mr. Justice "Chatty," and for a reason not very difficult to divine.



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He married early in life a daughter of the late Sir Frederick Pollock, the Lord Chief Baron, but he owed all his success to himself, and not to that interest which has been extended in so marvellous a way to the relations and connexions of that celebrated lawyer.

Referring to the Lord Chief Baron reminds me of an amusing incident which occurred during the trial of a man, some years ago, at the Lewes Assizes, where his son the late Baron Pollock was the presiding judge. He was a navvy, or a stevedore, or a coal-whipper, or some such strong gentleman, and coming home one night and finding his wife agreeably drunk and his dinner not prepared, he gave the lady a push, "and the subsequent proceedings interested her no more." He was arrested, brought before the magistrates, and of course committed for trial.

The prisoner having no one to appear for him, the judge asked Mr. C. F. Gill to undertake the defence. Of course it was a hopeless case, and therefore, in addressing the jury, Gill let himself go. His eloquence had such an effect on the jury that seven of them were in tears. At this moment the prisoner nudged one of the warders sitting by him and said: "Who's that bloke?" "Why," whispered the warder, "he is the finest mouth-piece on the Circuit; you're very lucky to have got him."

"Dismal beggar," said the prisoner.

## CHAPTER VII

The late Lord Esher : The manner of a Duke : Sir William Harcourt : Lord Beaconsfield's strange liking for his opponent : Lord Justice Bowen : A universal favourite : His association with Lord Chief Justice Coleridge : Sir James Hannen : His unfortunate appointment to the Divorce Court : Lord James of Hereford : No heart, but a cool head : Lord Halsbury : The Bradlaugh case : The greatest Lord Chancellor of our time : "The pertinacious advocate" : Lord Chief Justice Russell : Lord Chief Justice Coleridge : Sir Spencer Walpole : "The Derby favourite who had bolted" : "Weeping Walpole" : Disraeli and a foolish Duke : Lord Alverstone : A model Englishman : A remarkable Defence.

THE late Lord Esher was an ornament to the Court of Appeal. Fortune distributes her favours wisely. I have seen in Scotland a duke of that Kingdom walking about at a flower show in muddy boots, a ragged kilt, and a jacket that was worn at the elbows; and there was a short pipe in his mouth. Lord Esher ought to have been a duke. Every inch of him—and there were many of them—he looked like a duke. He entered his brougham and descended from it, and took his place upon the Bench, and interrupted counsel, and delivered little interim judgments, and gathered his robes about him, and calculated his attitude, and arranged his

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features as if he had been the Duke of Omnium. At one time we used to hear a great deal about professional beauties. I should be inclined to rank Esher as a professional judge. Mr. Baron Huddleston failed in his attempt to achieve the pinnacle of eminence. His manners were those of a Lord Mayor. Esher's manners were perfect.

He was the son of a clergyman, whose sphere of duty lay somewhere in the neighbourhood that was once Cremorne, and from him he acquired those religious convictions with which he more than once embellished and, as it were, sanctified, his judgments. His political opinions were his own. When he contested Rochdale unsuccessfully he declared that he was "not merely a Conservative, but a Tory." So he was.

He was an undergraduate at Gonville and Caius, commonly known as Keys. It is a pleasant little college, affected by pleasant men. Brett, as he then was, was a great big youngster, almost too big to be food for powder. His prowess as a pugilist still lingers as a tradition. He also rowed for three consecutive years in the University eight and put on record his convictions that rowing and training never did him any harm. On the contrary they did him a great deal of good. I know at this moment an ex-Lord Chancellor, who owed most of his success in life to the fact that he could keep wicket, and play racquets. Esher came to the Bar an Admirable Crichton. Solicitors used to

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speak of him as "handsome Brett." The curl of his whiskers was almost equal to that of Sir John Karslake's, and if he was deficient in the latter's solemn gravity, he atoned for the defect by his natural sprightliness, occasionally acidulated with something very like impertinence. He went on, and he went on, and he went on. It is a mystery how some men get on at the Bar while others fail. In a back number of a pleasant little volume entitled "Men of the time" I found it said that Brett "displayed rare skill in selecting the topics most pleasant to juries." Possibly so, he was always pleasant—even when sentencing a garrotter he pleased the audience.

He went into Parliament. He became Solicitor-General, but somehow or other his Party did not seem to appreciate the value of his services and he was raised to the Bench of the Court of Common Pleas. This reminds me of the Collier case. He was always master of the rules, and he did his work fairly well, although sometimes his manner was what Mr. Samuel Weller would have termed "supercilious."

In fact he condescended to be Master of the Rolls although aware that he was much too big a man for the post; and he was sometimes apt to remind the Bar and the general public that his position should have been that of Admiral of the Fleet, or First Lord of the Treasury or—possibly—Bishop *in partibus*.

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His name will always be remembered in connexion with two sentences—that upon the gas stokers, and that upon Colonel Valentine Baker. The delivery of these sentences was very defective. He used to preach at his criminal ; he attempted to tickle up his remorse by elaborate moral dispositions. He composed himself on the Bench as *arbiter morum atque elegantiarum*.

The way in which he talked to Colonel Baker was a little too ridiculous. If the man was really guilty, he could not have sentenced him in too few words. Instead of this he delivered himself of an aggravating harangue upon the duties of gentlemen in general, and in particular of those who carried the Queen's sword. A few years afterwards, in the Ascot Week, I saw Esher and Colonel Baker standing side by side in the Royal Enclosure, and pointed them out to Montagu Williams, who, with myself, was standing just behind them. Rightly or wrongly, I was delighted that such a state of things was possible and that the hope Brett had expressed for the social rehabilitation of that great military genius had been realized. When I think over some of his judgments, I wonder that he did not occasionally follow the example of the late Mr. W. Willis, and take a turn in the pulpit of the Rev. Mr. Haweis.

Although for a considerable period before his death he necessarily ceased from the active exercise of his profession, and solely occupied himself in the political arena, Sir William Harcourt's previous

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career at the Bar entitled him to rank amongst the legal luminaries of his day.

Like Selborne and Esher, he was the son of a parson, and after an extremely brilliant career at Trinity, Cambridge, he took his degree as First-Class Classic and Senior Optime. He was called to the Bar in 1854, being at the time twenty-seven years old.

Twelve years later he was made a Queen's Counsel, and in 1873 Solicitor-General.

As an advocate his practice was generally confined to the Parliamentary Bar, although he figured in more than one *cause célèbre* in other branches of his profession. Perhaps the most prominent was that in which he so ably defended Colonel Crawley, when the court-martial was held upon him at Aldershot in 1863. His magnificent defence, and, indeed, his whole conduct of the case of this most unjustly accused officer was considered to be admirable by critics at the time, and it certainly did a deal to enhance his rapidly growing reputation.

He was an excellent writer, and the articles which he contributed to the *Times* and the *Saturday Review* will bear favourable comparison with any that have subsequently appeared in either of those journals.

When Mr. Gladstone returned to office, after the election of 1880, Harcourt was appointed Home Secretary, and then it was that he failed to be re-elected for Oxford, which constituency he had



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represented since 1868. However, Mr. Plimsoll was obliging enough to resign his seat for Derby in Harcourt's favour, and he subsequently had the satisfaction of seeing his successful opponent, Mr. Hall, unseated on petition. It was long before his farewell speech to the Oxford electors was forgotten. It was most amusing with its scarcely veiled sarcasm and concluding benediction, and was one of the neatest of a number of remarkably neat addresses that he delivered during his eventful life.

Unlike the majority of eminent lawyers, he was infinitely more successful in the House of Commons than in the pursuit of his own profession, and there is no doubt that he will always rank as one of the most formidable debaters of his time. Lord Beaconsfield, who had a strange liking for him, which Mr. Harcourt certainly reciprocated, has handed him down to posterity as Hortensius in his novel "Endymion," and the picture he drew of him was in many respects a faithful one. He had the highest opinion of Harcourt's abilities, and in this he was not singular, for there cannot be the shadow of a doubt that he was an exceedingly clever man.

In the House of Commons he was more than once worsted, notably by Lord Beaconsfield, whom he openly expressed his intention of pulverizing, but whom he never got the better of, and ultimately refrained from attacking. I shall not forget in a hurry that sad afternoon in April, when the great Tory chief was carried to his last resting-place at



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Hughenden, and I noticed that amongst all the mourners no one seemed more greatly moved or more profoundly sorry than Harcourt.

He was a bitter opponent, and I have heard him say some of the most cutting—nay, almost cruel—things ; but he had not a particle of venom in his composition, and from first to last he was always a gentleman.

He was sometimes called unscrupulous and insincere by his enemies ; but then so was Lord Salisbury, and, after all, these are only some of the little prices that one has to pay for power and fame. He was sometimes violent and occasionally unfair, but the castigation which he administered in the House of Commons to Gorst was not undeserved, and his remark, that in addition to being ignorant of the etiquette of the Bar he was apparently unable to act as a gentleman, seemed to penetrate the extraordinary thick skin of that worthy.

Harcourt had many claims to celebrity. He was a lawyer, a statesman, a writer, and a courtier, and successful in each rôle. He was Professor of International Law at Cambridge. He was the Author of “ Letters of ‘ Historicus ’ on International Law.” He was a member of half a dozen Royal Commissions. With the single exception of Mr. Bernal Osborne he enlivened the House of Commons more than any politician of his day ; and last, but not least, he managed to make an amusing companion of Lord James of Hereford.

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I have recently described Mr. Benjamin as being the greatest lawyer in the world. When he retired from practice I think Lord Justice Bowen took his place. He was certainly second to him—*proximus huic*, but not *longo intervallo*.

Bowen was unknown to the world until he burst upon it at Oxford like a meteor. I had not the honour of his personal acquaintance, which would have enabled me to give those intimate details which many people like. I have an impression, however, that he was educated in his youngest days in a country rectory, and that he afterwards made his way to Rugby or to some large public school at which he swept everything before him. His career, however, began with a Balliol scholarship, which in those days was the highest achievement at the University. Before he had been at Oxford for a month Balliol discovered that it had acquired an Achilles. He carried off "The Hertford" and "The Ireland," stamping himself thereby as absolutely the best scholar of his year. Things have much changed at Oxford. But forty or fifty years ago it used to be believed that "The Ireland" was a greater distinction than a first-class. He also finished up with various lesser prizes, such as the Latin Verse and a first-class in Moderations, and he then secured a triumph almost unique. He competed for the Balliol Fellowship while he was still an undergraduate. The best men in Oxford, men who had taken their degree for years, were his

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competitors, but he beat them all—all of them—and actually went in for “Greats” as a Fellow of Balliol and a member of its Common Room.

He got his First, of course. But his greatest success of any was his “Arnold Essay on Delphi.” It has been held to be the finest prize essay ever produced in Oxford, and fit to rank with “The Newdigate” of Milman.

He made his mark in other ways. His accomplishments were almost universal ; he rowed in his college eight ; he was in his college eleven ; he played tennis admirably ; he was dangerous at football, and he was a superb swimmer, and wherever he went he was a universal favourite.

It was a misfortune for his country that he did not select the Diplomatic Service. He preferred the Bar, and entered the chambers of Lord Chief Justice Coleridge, who was then simply Mr. John Duke Coleridge. I have heard people say that Coleridge made Bowen, but I prefer my own view, which is, and always has been, that it was Bowen who made Lord Coleridge. He was first his pupil, and then occupied a room in the chambers, and became his “devil.” He did a very great portion of his work for him. He drew his pleadings ; he wrote his opinions ; he gently and courteously put him right when it was evident to him that Coleridge was wrong ; and he secured him a reputation which he would otherwise never have enjoyed. When he had taken silk Bowen worked up his cases for him ;

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he got together the evidence, collated it, compared dates, selected out minute incidents, discovered discrepancies and contradictions, and investigated microscopic points of history and of law. When all England was talking of the way in which Sir John Coleridge handled the Tichborne case it was little aware how much of the work had been done by Bowen and that he prompted his leader at every step.

Bowen had his reward, for he was made Junior Counsel to the Treasury; or, as it is commonly called, the Attorney-General's devil. This added considerably to an income already more than sufficient for his simple and philosophical mode of life. He took his degree in 1858, and in 1879, when little more than forty, he was made a judge. He had hardly time to become accustomed to his robes before he was made Justice of Appeal. It was the best appointment possible.

What was most remarkable about him was the rapidity of his intellectual movements. His mind was as quick and as nimble at a point as are the eyes and arms and feet of a racquet-player. Whatever the point may have been which was involved he found it in a moment—although if I may be allowed the metaphor—it was a needle in a bushel of hay. He seized upon it, and followed it up to the end. His judgments were singularly strong and trenchant, and more than that, they were models of English, and pleasant to read. One

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could scarcely say as much for the decisions of some other judges.

It was said by some people that Bowen was too courteous. He had certainly a wonderful control of temper. I have seen him in situations when any other judge would have burst out like a bombshell, but when the time came to put an end to matters he did the thing conclusively. I have often in my own mind contrasted him with Mr. Justice Maule. Maule's manner was that of a sledge-hammer. Bowen's was that of a razor, and he thereby saved himself, for nothing ever disturbed his equanimity. He was called "Baby Bowen" because he had a pleasant face and an engaging smile. But under his glove was a gauntlet of iron. He was a stronger man by far than most of his brethren.

Sir James Hannen was a standing example to all young men of what can be effected by punctuality, attention to business and probity. Every one had the highest respect for him. But I cannot exactly consent to the suggestion that he was an amiable man, and he himself would have been the last person to say so. His life had been saddened by more than one untimely death, and I can consequently make allowance for an austerity in him which would otherwise have been insupportable.

I need not dwell upon his lineage, for he owed his position entirely to himself. He was a distinguished Pauline and always retained his old affection for *literæ humaniores* and his old skill in

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them. No one could have sat in his Court without noticing this, although he was a modest and retiring man and did not parade his learning as some other judges do. For reasons of which I know nothing he studied at Heidelberg, but I am certain he would have made his mark at an English University.

I can hardly fancy him at Heidelberg. It is impossible to imagine him equipped in German boots and a forage cap, or swilling beer by the gallon. Whatever he set himself to do he always did thoroughly, and at this period of his career he had determined that it should be his business in life to become a lawyer.

Returning to England he practised as a special pleader and then for twenty years commanded a large business as a junior. His clients had confidence in him. His law was always as sound as that of Lord Blackburn, but his manner, though not so grotesque as that of his Lordship, was less cordial. His very reserve, however, increased the respect in which he was held. The Ministry found him out and gave him the bulk of its business, and it is no secret that, while a stuff-gownsmen, he did the major portion of the work that was supposed to be done by the Attorney-General. I should have called him infallible, but for one sad mistake—he actually contested Shoreham. It is one of the regrets of my life that I was unable to hear him address an assembly of Shoreham fishermen and boatmen. Nobody was surprised when he was raised to the Bench. Men



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who thought they had better claims than himself made no objection. But the irony of fate after four happy years in the Queen's Bench pitchforked him into the Court of Divorce. Never yet was a judge set to a task more repugnant to him. He was not a Puritan, he was not a hypocritical Pharisee, but his coldness and asceticism and hatred of everything that degrades human nature was natural to him and I wondered how he got through his work as he did when I used to observe how abhorrent it was to him. Mr. Justice Hawkins in Hannen's place would have been in his element. Baron Huddleston would have dealt tenderly with the vices of the great. Hannen hated vice from the depth of his soul and the counsel who practised in his Court had a wholesome terror of him. I remember once what happened to a junior ignorant of the severity of his convictions, who applied to have one of two correspondents dismissed from a suit. Hannen asked the grounds, and was told that the unfortunate man had been "eaten." He almost lost his temper, and when an explanation was stammered out that the missing swimmer had last been heard of as the captive of a tribe notorious for its love of "long pig," he was for a few moments speechless. He glared icily for a short space of time, and then in a whisper of concentrated sorrow and wrath said: "Take your rule."

His manner, indeed, did not do justice to his abilities. His voice was almost inaudible, and it was too apparent that he loathed his duties; but



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occasionally he was worthy of himself, and that was when he launched a fire of measured bitterness that was always terribly impressive.

It was once his duty to point out to the jury that the wife of an Englishman may safely drag his name through the dirt in such a way as to make existence hateful and intolerable to him, and yet that he has no redress if she carefully avoids one specific offence. He denounced this state of law not as a scandal merely, but as wickedness, and with something of the fire of inspiration. For that judgment I can forgive him all his faults of temper. Hannen, although he never forgot that he was a gentleman, was yet at times extremely rude.

He once made something very like a joke. At the instance of a lady well known in society he separated her from her husband. She married her husband again, and came to him the second time for the same relief. He again set her free, and then murmured softly: "I hope, Madame, that I shall not have the pleasure of seeing you here again."

But I doubt if he really meant this for a joke, and I think it was rather said in the spirit of the memorable words, "Go in peace."

Before his unlucky elevation to the Court over which he presided, I had shared in the general hope that I should have lived to have seen him Lord Chief Justice. The work would have suited him, and I know of no one who could have done it better.

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His conduct as President of the famous Parnell inquiry was, I think, a proof that I am right.

I will now say a few words about Lord James of Hereford. As a comparatively young man he became Attorney-General, the head of the English Bar, and there was evidently an immense future before him. It is interesting to notice how thus early in life he achieved distinction so eminent. There was nothing very remarkable in his career. All that I know about his early days is that he was educated at Cheltenham, and instead of wasting his time at a university, he came up at once to London and was called to the Bar somewhere about his twenty-fourth year. I have heard it said that for some little time he studied in the office of a civil engineer, and so acquired a knowledge of business and of commercial affairs which was afterwards of considerable service to him. This may, or may not, have been the case. As a matter of fact he first became known in the Lord Mayor's Court. The jurisdiction of that antiquated little tribunal had not yet been called in question and its cause-list was crowded. Whenever a plaintiff wanted to exact the last ounce of flesh from a defendant, and further to harass him with an altogether disproportionate bill of costs, he would take him into the Lord Mayor's Court. The Palace Court, which Jacob Omnium succeeded in closing, was hardly a more iniquitous tribunal.

To the Mayor's Court he for many years steadily

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adhered. Its little technicalities suited him and enabled him to show his powers off to the best advantage. It is said—and I believe rightly—that no man ever so thoroughly mastered, as he did, the manifold mysteries that surround the doctrine of *concessit solvere*.

The Mayor's Court sits on an average once a month. James was always present there, always ready for business, always available to hold a brief for a senior. Little by little the business of the Court gravitated into his hands. He must have been making many hundreds a year out of the legal pleasantries of *concessit solvere* before he gave his genius full scope in Westminster Hall.

He never achieved any distinguished success; but his business somehow steadily grew. He was the kind of man in whom solicitors have confidence. He had in him the mercantile mind fortified by a strong element of what John Bright was pleased to call Attorneydom. No point was too little for him to take: no objection too trifling for him to urge. He was cautious, painstaking, and cold-blooded. Even as Attorney-General he never shook off the old modes of *concessit solvere*. It was a treat to hear John Holker conduct a great case. Those who heard it will never forget his opening in the trial of the Stauntons, or his reply on behalf of Mr. Rubery against Baron Grant and Mr. Sampson of the *Times*. When I listened to Sir Henry James it always seemed to me as if his client were

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concerned in a consignment of butter or a contract for a few miles of wire fencing. He was always even. He was always equal to himself, but above that level he never rose. There were no moments of inspiration with him. Solicitors said of him that he never managed his cases well, but that he never mismanaged them. His genius, in so far as he had any, was not of a commanding order. It was rather that of a solicitor's clerk who understood how to make a bill of costs, or of the contractor's foreman who has the happy facility of taking out quantities. He was, indeed, as anxious and as careful over a fourpenny piece in his verdict as over the verdict itself. All this may have been commendable. I know that solicitors considered it so, but it was not by talent of this kind that Erskine and Lyndhurst and Westbury and Cockburn made their mark. James' peculiar turn of mind was rather that of a Campbell or a Kenyon. He used to remind me of a hedgehog, which when rolled into a ball presents a most formidable array of irritating little spikes, but which a terrier who knows his business can in a moment unroll, toss into the air and dispatch. After waiting with praiseworthy patience he was returned for Taunton, and it is a significant fact that he was returned upon scrutiny and not by the undisputed majority. Here again his mastery of little details incontestably showed itself. Three years later he was made a Queen's Counsel. After four years he succeeded Sir George

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Jessel as Solicitor-General. I can remember Sir George at the Bar, and I never could agree with those who considered James his equal. After that he became Attorney-General in due course, and it was always understood that he would not condescend to anything short of the very highest judicial preferment.

Later on the Lord Chancellorship was offered him by Gladstone, but he would not accept it, as he did not agree with that statesman's newly born Home Rule views. With Chamberlain, Hartington, John Bright, and others, he quitted the Liberals and became one of the founders of the Unionist Party.

He had one little fault, however, to which I must not fail to draw attention. It was the utter want in him of anything that even remotely approached geniality. He occasionally effected a smile, but he was never heard to laugh. His manner was always that of an accountant who was thinking out the exact proportion of a dividend, and towards his juniors he was persistently overbearing, if not, indeed, generally insolent. There were many young men at the Bar of considerable position who would sooner have declined a brief, even from a big client, than submit to what courtesy compels me to term James' brusquerie.

And yet, notwithstanding this, he did well in life. If he was devoid of heart, he had, at any rate, a cool head. People could trust his judgment, and were glad enough to act upon his advice in matters

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where his own interests were not concerned. He made money, and he saved it, and he made more out of it. His name was well known in the City; indeed we should never have had an inquiry into certain great financial scandals had not his *amour propre* been wounded by one or two losses in hazardous speculation. So at least City men state, and it is no small credit to his peculiar type of talent that he should have been even better known in the City than in the Courts of Justice.

Many of his friends told me that, like Mr. Justice Hawkins, he had a very strong sense of humour. I can quite believe it, but should expect that his wit was more dry than kindly.

There have been very few men in the legal profession who have been more successful than the ex-Chancellor, Lord Halsbury. And although it is true that he started with certain of those advantages which make for their fortunate possessors the hill of fame a little easier to climb, yet it was equally true that the position to which he attained was due to his talents, his tact and his indomitable energy and perseverance. It may safely be said of him that he never lost a chance or threw away an opportunity. He was the son of a barrister who, although not celebrated at the Bar, was nevertheless an extremely clever and erudite man. He gave his son an excellent education as a boy, and when young Halsbury came to years of discretion, he sent him to Merton College, Oxford, where in 1852 he graduated B.A. He had



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previously, in 1850, being at that time twenty-five years of age, been called to the Bar at the Inner Temple. He soon got into a fair practice, which so increased year by year, that when, in 1865, he took Silk there was scarcely anyone at the Junior Bar doing better than himself.

In 1868 he tried to get into Parliament, and unsuccessfully contested Cardiff. In 1874 he made two more fruitless attempts and was rejected for both Cardiff and Launceston. Nothing daunted, in 1876 he wooed the electors of Horsham, but alas, found them also, unpropitious, and it was not until 1877, this being his fifth effort, that he found himself elected for Launceston. In 1875 Mr. Disraeli appointed him Solicitor-General and he held that office to the credit of himself and to the advantage of his Party until the return of Mr. Gladstone to power in 1880.

When the Conservatives again resumed the reins of government he was appointed Lord Chancellor as a matter of course, the Attorney-General, Sir John Holker, who, by the way, had been made a Judge, having died.

Lord Halsbury, who was then Sir Hardinge Giffard, was a very effective advocate, and made a great impression on the jury. His arguments were apparently logical and conclusive, and it required subtler minds and keener intellects than those possessed by the majority of persons whom he was in the habit of addressing to perceive their



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frequent fallacy. He was a good general, and, as I have before stated, he was gifted with consummate tact, and hence he was a noted verdict-getter who never irritated the Judge, and was always on good terms with the jury, who often, if they could strain a point in his favour, did not hesitate to do so. He was not a good cross-examiner, and hence it was that another counsel was frequently engaged to perform that function in cases where he was retained. This happened in the Belt trial, which, by the way, he conducted admirably, and secured a verdict for his client in face of overwhelming evidence on the other side.

It was an unlucky moment for his reputation when he crossed swords with Mr. Bradlaugh. However one may differ from the opinions held and the doctrines taught by that gentleman, there cannot be a shade of doubt that in the various legal entanglements in which Giffard of all others had taken pains to involve him, the latter was utterly worsted. Lord Coleridge, in his masterly summing-up of the Bradlaugh case, gave the *coup de grace* to the effete theory, propounded with characteristic narrow-mindedness by the late Mr. Justice Stephen, that anyone who may assail the doctrines of the inspiration of Holy Writ, however learnedly or respectfully, commits a breach of the law, and is liable to condign punishment. Anything more monstrous than this, or more calculated to weaken that affection for religion, which happily most of us maintain, cannot well be conceived. Yet

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Giffard endeavoured to force this down the throats of the jury, who, to their credit be it said, and being directed by a strong Judge, "refused to hear the voice of the charmer." There can be little doubt that the sooner the blasphemy laws are reformed the better. They are an attempt to imbue with a legal character questions purely religious. They were originally made for political reasons, and are entirely opposed to the spirit and the teaching of the great Founder of our faith. They merely excite irritation and foster hatred of religion, and their retention in our code is little short of a public scandal.

The late Baron Alderson—the father-in-law of the late Lord Salisbury—laid down the law that it was lawful for a man to attack Jew, Turk, Roman Catholic, Mohammedan, or any other religionist, provided he abstained from saying anything against the Church of England as by law established, and which, being part of the constitution, it was unlawful to assail.

Mr. Justice Stephen held similar views, but there can be little doubt that Lord Coleridge successfully silenced for ever these second-rate jurists. If Giffard had been wise he would have left Bradlaugh alone. The castigations he received must have been doubly unpalatable considering the source from whence they came, and as he was evidently no match for Bradlaugh he had much better at once have cried peccavi, and retired from the conflict.

This religious litigation has been the one mistake of his life, but it has not been sufficient to dwarf the

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memory of the splendid success he achieved at the Bar, and his still more brilliant success as Lord Chancellor. I think it is admitted by all those capable of judging that he was the greatest Lord Chancellor of our time. Anyhow, that is my humble opinion.

When Lord Halsbury was appointed Lord Chancellor, we of the South Wales Circuit invited him to dinner at Limmers in honour of the occasion. Lord Halsbury, as Sir Hardinge Giffard, had been leader of this circuit. The North Wales Circuit were also invited, as were also some of the Judges. The dinner was ordered by our then Junior—Joseph Watkin, who now holds a very prominent position in the College of Heralds—those sort of matters were always left to the circuit Junior, of whom my friend was one of the most efficient, and he very wisely fixed upon Limmers as the right place to celebrate so auspicious an occasion.

We have all heard of the famous John Collins who invented a most popular drink, which was freely consumed during several generations. Collins was supposed to have said, with what truth I cannot vouch for :

My name is John Collins a waiter at Limmers,  
At the corner of Conduit Street, Hanover Square,  
And my chief occupation is pouring out brimmers  
For thirsty young gentlemen laden with care.

I can well conceive a young Guardsman, who had lost a thousand pounds the night before at cards, and having grave doubts whether he could persuade



*Rotary Photo*

THE EARL OF HALSBURY



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Cox and Co. to honour his cheque for that amount, repairing to Limmers and ordering two or three brandies and sodas in succession.

When Lord Halsbury responded to the toast of his health, he told us that when he joined the circuit, in his wildest moments he never dreamt that such an honour as he had attained would have been thrust upon him. Of course, this was the case. But Napoleon used to say that every soldier carried the bâton of a Field-Marshal in his knapsack, and no doubt it may be said with equal truth that every new-called barrister carries the robes of a Lord Chancellor in his bag.

Lord Halsbury went on to praise several of the men who had practised on circuit with himself, and who, he was modest enough to say, possessed qualifications superior to his own. I was too young to have been on the circuit with the gentlemen in question, and indeed did not join until 1884, after Sir Hardinge Giffard had given up the leadership, that position being occupied at the time by my old and staunch friend the late Judge Bowen-Rowlands.

Halsbury mentioned some one, who, he said, was one of the greatest advocates that he had heard address a Judge or jury, secondly, there was a cross-examiner whom he would bracket with Serjeant Ballantine, and thirdly one who possessed a combination of extraordinary gifts, "and finally," said he, "there was Hughes, who was the most pertinacious advocate I have ever known in my life.



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You Grove, and you, McIntyre," he went on addressing the late Mr. Justice Grove and the late Mr. McIntyre, then the leader of the North Wales Circuit, "were at Swansea at the time when Hughes occupied the attention of a judge and jury for eight solid hours to decide the momentous question whether a black man had sufficient clothing upon him or whether he had not."

One of Sir Hardinge Giffard's most conspicuous successes on circuit was his defence at Haverfordwest of Surgeon-Major Alder charged with the murder of Lieutenant Philip Walker of the Royal Horse Artillery. Alder and Walker had been playing billiards and it seems that a dispute arose between them, and during the progress Alder was accused of having stabbed Walker. Anyhow, Walker was stabbed, and died from the effects of his wound. At first he accused Alder of having done the act, but before his death denied that such was the case. The then Lord Chief Justice, Sir Alexander Cockburn, was the presiding Judge, and he was said to have done himself rather too well the evening before. However that may be, he came into the court in a very bad temper, and threw the quill pens about on his desk, and so behaved that in a short time he scared the leading Counsel for the Crown, the late Mr. B. T. Williams, Q.C., out of Court and that gentleman left the principal conduct of the case to Mr. Francis Williams, who is at present the Recorder of



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Cardiff, and leader of the South Wales Circuit. B. T. Williams was a very nervous man, and was desperately afraid of Cockburn. His mind afterwards became unhinged, and I understand that he ended his days in the Carmarthenshire County Asylum. Sir Hardinge Giffard made one of the most marvellous defences of our time, and as he generally succeeded in doing, he thoroughly got hold of the jury, who returned a galloping verdict of acquittal, notwithstanding the summing up of the Lord Chief Justice, who rather invited them to find a verdict of manslaughter.

The retirement of Mr. Benjamin from the active practice of his profession unquestionably placed Mr. Charles Russell in the proud position of leader of the English Bar, for although the Attorney-General is by courtesy entitled to the honour, he certainly is not always so in reality. There was no point of comparison between him and the then Attorney-General, in which he was not immeasurably his superior, and his practice was at least twice as large as that enjoyed by Sir Henry James. His career was a long series of signal successes. He commenced life as a solicitor's clerk, and in the words of the famous author of *H.M.S. Pinafore*

“He served the writs with a smile so bland,  
And he copied all the letters in a big round hand,  
He copied all the letters in a hand so free,  
That now he was—  
—What he was.

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But the serving of writs and the issuing of fi-fas did not prove congenial employment, so he abandoned this walk of life and associated himself with the higher branch of his profession. Somewhere about 1856 he became a student of Lincoln's Inn, and in due course he was called to the Bar. Solicitors, like theatrical managers, are as a rule remarkably quick in ferreting out talent, and Russell's undoubted abilities being speedily discovered he soon got plenty of work, which increased day by day and month by month until he was said to be earning the modest competence of £25,000 a year. He was a Queen's Counsel and a Member of Parliament when he was in the prime of life, with an intellect unimpaired and the possessor of a good constitution. It was, therefore, not much wonder that he eventually became Attorney-General and afterwards Lord Chief Justice. He was not a pretty speaker, but he was a very effective one. His manner was forcible and earnest, and, like Mr. Serjeant Parry's, very frequently almost judicial in its impressiveness, and, indeed, in many ways he used to remind one of that lamented gentleman. With a jury he was perhaps the most convincing advocate at the Bar, and hence a very desirable one to secure. He was a past-master in the art of cross-examination, though here he carried his talents too far, for sometimes he was very cruel in the exercise of what he considered his duty to his client: he was frequently positively merciless, and spared neither man nor

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woman. I have seen one of the latter leaving the witness-box in a fainting condition after having been subjected for a couple of hours to the torture of his cross-examination. A litigant with a bad case or a witness with an undesirable reputation and a shady past would have been indeed a bold individual to have encountered him under these circumstances, and those who have been rash enough to do so made a very sorry figure, as a reference to the reports of many celebrated cases will show.

When at the Bar his manner with the Judge varied considerably. With some he was obsequious, with others familiar, and with others again he manifested a scarcely veiled contempt, if he was not, indeed, positively impudent. There was no one who knew better than himself with whom he might trifle with impunity. His demeanour when before the late Lord Chief Justice, Sir Alexander Cockburn, was very different from that which he exhibited when conducting a case before "the last of the Barons." Sir Alexander would have soon put an effectual stop to witticisms, and commanded a respect which the latter was powerless to enforce. The way in which he chaffed Mr. Baron Huddleston during the progress of the Belt trial was certainly highly diverting to the audience, but it can have been scarcely palatable to the unfortunate Judge. It may be questioned, however, whether it was of much service to his client.

His great reputation was gained in almost every

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branch of his profession, but he will be chiefly remembered for the extraordinary ability he displayed in the conduct of a libel suit, and he was a wise solicitor who, when he issued his writ, sent Charles Russell a retainer. Sir George Lewis, amongst many others, knew this fact and always acted upon it.

Russell was engaged in many *causes célèbres*, in addition to those in which he appeared with such conspicuous success as counsel for Mr. Bradlaugh. He represented Clement Scott in his action against the *Referee*, and with Machiavellian diplomacy omitted to put his client into the witness-box, and thus completely floored the other side, who trusted entirely to their cross-examination of that gentleman. He drove William Willis, who represented Sampson, the founder and first editor of the *Referee*, to madness, so that he entirely forgot himself, and consequently received a stern rebuke from Lord Chief Justice Coleridge, who tried the case. After two defeats he was in 1880 elected member for Dundalk, defeating Mr. Callan, who upon the two previous occasions had beaten him.

There is no doubt whatever that he might have been sooner in Parliament if he had consented to adopt the aims and programme of the Home Rulers and Land Leaguers. The wisdom of his decision in this respect was powerfully illustrated by events that took place afterwards.

He was a very kind-hearted man and admirable

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in every social relation of life. He was an accomplished and fearless rider, and knew as much about horses as anyone in the United Kingdom. This he successfully proved on many occasions, especially during his conduct of the "Derby" favourite case, when he fairly astonished the experts who attempted to get the better of him.

He had one great fault. His manner to juniors who opposed him was very imperious and aggressive. Once or twice I saw him come off second-best in an encounter with a young and despised adversary, and I am bound to add to the ill-concealed delight of the learned Judge who was trying the case. In a case for criminal libel tried before Sir Thomas Chambers, the then Recorder of London, he was fairly bludgeoned and defeated by Mr. Charles Gill, whom he never dreamt would have put up such a splendid fight.

Russell was a profound tactician, and in this he presented a pleasing contrast to Mr. Willis, who was very frequently his opponent. This gentleman, although a better lawyer than himself, had simply no chance with him, and, other things being equal, in nine cases out of ten he found himself over-matched.

As a politician he never made much mark, and was chiefly remarkable for very advanced and strong opinions on the Irish question, although they were not at all in accordance with those of the then leader of the Irish Party, Mr. Parnell. The atmosphere of



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the House of Commons seemed scarcely as congenial to him as that of Nisi Prius. When he was made Lord Chief Justice many members of the Bar expressed considerable doubt whether the brilliant advocate would be a success as a Judge. We know the result. No one ever filled that high office more efficiently than himself.

Fortune favoured the famous Lord Chief Justice Coleridge in more ways than one. Many years ago, according to Sir Bernard Burke, the Rev. John Coleridge, vicar of Ottery St. Mary, in the county of Devon, was a gentleman eminent in those parts for his "piety and learning." His seventh son was Samuel Taylor Coleridge, the father of Derwent and Hartley Coleridge. His third son, James, achieved distinction by marrying Frances Duke Taylor, who was a co-heiress of Robert Duke, Esq. of Otterton. His second son was Sir John Taylor Coleridge, who at Oxford carried off the Latin Verse with a poem on the Pyramids, and the Latin Essay by a discussion on Etymology, and who ultimately became a Justice of the Queen's Bench and a Privy Councillor. He was a fellow of Exeter, and Lord Coleridge, his eldest son, was educated at Eton and Balliol, and in due time obtained a fellowship at Exeter. He was duly called to the Bar in 1847, and from that period his career began. In eight years he was Recorder of Portsmouth: in fourteen years he was a Queen's Counsel and a Bencher of his Inn. Seven years later he became

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Solicitor-General, and with characteristic humility did not refuse to hold that office under Sir Robert Collier. For this act of self-sacrifice he was rewarded in succeeding Sir Robert in his office, and after acting as Attorney-General for some two years he became Lord Chief Justice of the Common Pleas.

It is a mistake, I believe, to say he was appointed to this high judicial position. The Attorney-General from time immemorial had been entitled to claim the chief seat in the Common Pleas as his right, and, no doubt, Coleridge availed himself of this valuable privilege. A few months later he was created Baron Coleridge of Ottery St. Mary, and when Sir Alexander Cockburn closed a career as brilliant as it had been dignified, he became his successor.

At the Bar the success he enjoyed was of a mixed kind. He went the Western Circuit in company with the late Sir John Karslake, and for many years they were opposed in almost every case of importance. Some people considered Karslake his superior in all those gifts which at the English Bar are held to constitute a great advocate ; but in eloquence (not always of the most sincere order) he often proved himself Karslake's master. For some time, indeed, it was doubted whether fortune would assist his merits as she chose to do, but Coleridge knew well how to put his many and varied gifts to the best possible purpose. An eminent Judge



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who sat before him in the Court of Common Pleas, and who was as distinguished for his profanity and impiety as Coleridge was for qualities of a very different order, is reported to have expressed his opinion that the late Sir John Taylor Coleridge made a mistake in not sending his son into the Church. This opinion he used to justify by calling attention to the natural graces of Coleridge's disposition and to its marvellous and charming adaptability to men and to circumstances, and therefore he deduced the conclusion that, although his future elevation to the Bench might be doubtful, he would certainly have become a bishop within the shortest possible time of probation which that dignity permits.

In Westminster Hall, his eloquence—which I should be the last to decry—stood him in better stead than upon his circuit, and he became conspicuous for his great power of conducting a peculiar class of case. His work became heavy, and he was materially aided in it by the unflagging devotion of a junior then in the chambers, and afterwards elevated to the Bench. How much he owed to the lawyer who afterwards became his colleague in the Queen's Bench Division was best known to himself. And Coleridge was not averse to availing himself of other aids. Although beyond all question a sincere and devoted Churchman of the High Church type, he made himself a *persona grata* with two Lord Chancellors in succession, and the Catholics always

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regarded him with such affection that he was as much their chosen advocate as was the late Mr. Waddy of the Nonconformists. He never made a mistake in his life—and his career—especially if compared with that of Sir Alexander Cockburn—reminds me very forcibly of a passage in Bacon, wherein (subject to certain exceptions) we are told that if we wish to reach the mountain-top we must strive to soar as does the eagle.

Nor was he insensible to the advantages which he deservedly won. While Coleridge was Attorney-General, a gentleman of the name of Mackarness was suddenly appointed Bishop of Oxford. Literally nothing was known of Mr. Mackarness, except that he had taken a second-class in Classics and had been in his time a Fellow of Exeter and a country clergyman. It was said, however, that on various occasions, which were somewhat vaguely indicated, he had displayed a very remarkable talent for "organization," whatever that may mean. Later on, all wonder ceased, when it became generally known that this Right Reverend Prelate was Coleridge's brother-in-law.

When on the death of Sir Alexander Cockburn he became President of the Queen's Bench Division, the Lord Chief Barony was actually vacant. It thus came about that the whole patronage of what I may call the Common Law Division of the High Court of Justice was in his hands. That he used this vast power with a due sense of its responsibility

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everybody agreed. He exercised his great powers conscientiously, wisely and impartially.

On one occasion, when the Lord Chancellor, Selborne, was staying with Coleridge at Ottery St. Mary, he was good enough to speak very kindly of him at a lunch given in Selborne's and Coleridge's honour by the Mayor and Town Councillors of Exeter, and he declared that between himself and Coleridge there were "such ties of perfect confidence and unity of aim and object in public and of principles in private life as make it a happiness and a pleasure, as well as a duty, to co-operate with him."

This was as it should have been. There were tidings of comfort and joy in such an announcement, especially when it was made by the Keeper of the Queen's Conscience and before an audience so distinguished. The aim and object of all great lawyers in public life is as a rule sufficiently identical. But to find, on the very best of all possible authority, that Lord Coleridge's principles in private life coincided with those of the learned Lord Chancellor's was—although in no sense a surprise—yet at the same time very refreshing.

On Lord Coleridge's coat-of-arms there was an otter surmounted by a dove. The conjunction was appropriate. The whole of the Bar and the Bench were delighted that he so long enjoyed his high honours, and worthily discharged his duties. The courtesy of his manners won him almost the worship of the Bar, while his integrity and his blameless life

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secured him the unlimited confidence of the general public. He was a great Lord Chief Justice.

There is no man whose name was more revered by the profession to which he belonged, and whose interests he had so much at heart, and for which he so earnestly laboured, than Spencer Horatio Walpole.

Although he chose for himself a political career he never abated his interest in the legal calling, and even when he gave up the representation of the University of Cambridge, and resigned his seat in the House of Commons, he was still to be found at his important duties in connexion with the Council of Legal Education.

Notwithstanding the turmoil of Party warfare, the cares of office (he was three times a Cabinet Minister), the vast inroads on his time to which as Home Secretary he was liable, he always managed to find leisure to attend to all matters relating to the welfare of the Inns of Court, and to his duties as one of the leading Benchers of his own Inn.

All this was fully recognized by the Bar, in which body he inspired the deepest veneration and affection; indeed I fear that his peace of mind must have been frequently disturbed by the warning "Woe unto you when all men speak well of you."

No one ever started in life with a fairer chance of success than he did. He was a son of rich and aristocratic parents. His father was a large landed proprietor in Surrey, and descended from Sir

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Reginald Walpole, and his mother was a daughter of the second Earl of Egmont.

He was sent to Eton, where he did fairly well, and was extremely popular among all with whom he came in contact. Thence he went to Trinity College, Cambridge, where he graduated as B.A. being then twenty-two years old.

Previously to this he obtained the first prize for English Declamation and the prize for the best essay on the character and conduct of William the Third. He was called to the Bar, and in due course became a Bencher of Lincoln's Inn and also a Q.C. He went into Parliament, and first of all sat for Midhurst, and afterwards he was elected for the University of Cambridge, which constituency he represented until his resignation.

He was Church Estates Commissioner and three times Home Secretary, and afterwards a Member of the Cabinet, without any official position. He was a Trustee of the British Museum, a Fellow of the Royal Geographical and other Societies, and no inconsiderable contributor to literature.

But in spite of all this, it is as well frankly to admit that whatever he might ultimately have done at the Bar his political career was not a conspicuous success. In the first place he was born fifty years too late. He ought to have been a contemporary of the younger Pitt, but he found himself mated with individuals whose ideas were totally uncongenial to him. True, he understood the late Lord Derby, and

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Lord Derby understood him, but the politicians with whom he was compelled to act since the death of "the Rupert of debate" had nothing in common with him, and it must have been with scarcely any regret that he quitted for ever the political strife. The cruellest blow was that he should find himself succeeded at Cambridge by Mr. Raikes. A professional politician like that gentleman had no business to represent a constituency like the one Walpole had just parted from, and I thoroughly believe that in his heart of hearts, Party ties notwithstanding, he would not have been sorry to have seen him worsted by his opponent Professor James Stuart. Be that as it may. Mr. Raikes was a most unhappy choice by the Conservative Party and one that should never have been made, whether in their own interests or those of the University.

Walpole was one of the last of the old school of Tories, and much of the party trickery which is at present perpetrated would have been thoroughly incomprehensible to him and at any rate most uncongenial to a statesman of his consistency and regard for honour and truth. With Lord Derby's tactics he could not always agree, and when that nobleman proposed a measure of parliamentary reform which Walpole considered tainted with Radicalism he promptly sent in his resignation. I am also aware that privately he urged Lord Derby not to be led away by Mr. Disraeli; and that the result of his efforts was fruitless, although his arguments were certainly



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unanswerable. Disraeli, to whom Lord Derby confided his words of warning, immediately called Walpole "the Derby favourite who had bolted," and always after that there was a certain coldness between the two men. Walpole did not make a good Home Secretary. Very few men do. He was too weak, and his very virtues told against his successful tenure of that office. He lacked firmness, energy and decision and, notably at the time of the Hyde Park riots, he was singularly unequal to the crisis. It was then he earned the sobriquet of "Weeping Walpole," which stuck to him for a considerable time.

My reference to the coldness which sprang up between Walpole and Disraeli reminds me of another story concerning Disraeli's readiness of retort.

When he was made Chancellor of the Exchequer by Lord Derby during the latter's Government, a certain foolish Duke said to him: "Mr. Disraeli, I am glad to see that your talents are rewarded, but has not it been rather against you during your career that you were born a Jew?" The answer was crushing. "Your grace," said Disraeli; "my ancestors were princes in Israel while yours walked about naked with their backs painted red."

Walpole was one of the kindest-hearted men that ever lived and admirable in every social relation. He was a staunch friend, a patient adviser, and a good man in the best sense of the word. To the regret of all parties in the State, he left the arena, and he



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carried into his well-earned retirement the good wishes and kindly feelings of political friend and foe alike.

For a very considerable time Sir Richard Webster had been making a larger income at the Bar than any other advocate, with possibly the exception of Mr. Benjamin and Sir Charles Russell.

Notwithstanding this fact, he was comparatively little known to the general public until the extraordinary abilities he displayed in connexion with the Belt libel suit brought him notoriety.

From the time he was called to the Bar he never looked back. He always inspired solicitors with unlimited confidence, for, in addition to being extremely clever, he was painstaking, hard-working, and conscientious.

If, as in the *cause célèbre* to which I have just referred, he was convinced of the righteousness of his client's case, he thoroughly identified himself with it, and all was done that brilliant talents, dogged energy, and steady perseverance could accomplish.

There are few people who are aware of the enormous pains that were bestowed by Webster and his able junior, Mr. Coward, with regard to the management of the defence in *Belt v. Lawes*, and if the result was not altogether satisfactory, no one could have blamed him for it.

Webster was not to be put down by clamour, and in the exercise of his duties he did not hesitate to charge the Judge with partiality.

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Horace had a man like Webster in his mind when he wrote his famous lines in honour of him whom nothing could daunt :

Justum et tenacem propositi virum  
Non civium ardor prava jubentium  
Non vultus instantis tyranni  
Mente quatit solidâ.

Webster was educated at Charterhouse and Cambridge, and although not very high up in the list he nevertheless took honours both in mathematics and classics, being thirty-fifth wrangler and third-class classics.

He was celebrated as an athlete both at School and at the University, and, take him all round, there has been scarcely a better or more popular man turned out from Charterhouse during the last century.

He was a good speaker and an excellent cross-examiner, and I never knew of any advocate who could strike greater terror into the breast of a lying witness.

Like Ballantine and Hawkins, he was very quick at seeing the strong points in his own case, and the assailable points in that of his antagonist, and if as an orator he was somewhat deficient in pathos, perhaps it was because he took such a common-sense view with regard to persons and things.

He was generally popular with juries and singularly successful with them. This is probably due to the fact that he took an infinity of pains in

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making his meaning clear to the least brilliant members of the community. He never courted popularity, but he has been respected by all who ever came into contact with him, and by his nearest friends he has always been sincerely loved. He is a pattern Englishman, and his career has been straightforward, healthy and honest.

As Attorney-General, as Master of the Rolls, and as Lord Chief Justice he made conspicuous successes, and the whole Bar of England deeply regret that ill-health has lately compelled him to give up the last position which he so magnificently adorned. It is a consolation to know that one of the most brilliant men who ever went to the Bar has been appointed his successor.

My old friend, Trevor Lloyd, told me the other day an amusing story related by the late Sir George Honeyman to his father Sir Honoratus Lloyd. It seems that Sir George was an infamous writer and on one occasion he sent down from the bench to a friend of his, a leading Q.C., a little note. Not being able to make head or tail of it, the barrister in question scribbled something absolutely indecipherable upon a half-sheet of paper and passed it up to the Judge. Sir George looked somewhat annoyed, and when the court rose he spoke to his friend, and said: "What do you mean by this? I asked you to come and dine with me to-night." "Yes," said the barrister, "and I replied that I should be extremely glad to do so."

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I once heard a most remarkable defence of a prisoner at the Old Bailey. The counsel who defended was a friend of mine, who has gone over to the majority, and I will not mention his name. With a few exceptions, such as Ballantine and Parry, and Montagu Williams, and Geoghegan, he was one of the most successful barristers at the Bar. At the time I am referring to, juries at the Old Bailey were not as educated as they are at the present time, and many of them spoke with not more than about a hundred words. The peroration of the counsel in question was quite good enough for them. "Gentlemen of the jury," said the counsel, "as the great poet beautifully observed—I do not at this moment recollect the name of the poet, nor what it was that he observed; but the moral is the same, and that is that you should acquit my unhappy client, the prisoner at the Bar." This piece of eloquence was delivered in the splendid tones that my friend knew so well how to employ, and a verdict of not guilty was promptly given!

## CHAPTER VIII

Work on the South Wales Circuit : My first important case : "Taffy" and the London Cheapjack : An unexpected acquittal : Sir Frank Lockwood's story against himself : A breeze between Judge and Counsel : The Bishop of Llandaff and the nervous curate : The late Mrs. Georgina Weldon : Her extraordinary record as a litigant : I act for her in her case against Gounod : Huge Damages : My meeting with Gounod a few years afterwards : How Mrs. Weldon transacted her business : Her personality : Her views on Barristers : A striking instance of the Law's uncertainty : An important decision on the Law of libel : "Scintillæ Juris" : "Many kinds of friends" : A young Scotch advocate makes a "remark."

As I have previously said, I was called to the Bar in January 1884, and shortly afterwards I joined the South Wales Circuit. The South Wales Circuit, consisting, as it did at that time, of only about five-and-thirty members, was really practically the same as a regimental mess, as is not the case in many other circuits which have three or four times that number of members. Everybody on the South Wales Circuit knew each other, and as a rule called each other by his Christian name. The first case of importance in which I was concerned on the circuit was a murder case, which was tried by Mr. Justice Denman at Cardigan. I was the junior

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counsel for the defence, having been led by Francis-Williams, the present Recorder of Cardiff. A young sergeant, named Price, in the Aberystwyth Artillery Militia, was charged with the murder of his wife. He himself was a native of Shropshire, but he came to Aberystwyth and fell in love with a Welsh girl of very prepossessing appearance, and ultimately married her. Quarrels took place between the pair, which were said to have been much fomented by her mother, but whether this was the case or not, I cannot say. Things got so bad between the pair that they decided to part, and Sergeant Price was in his mother-in-law's house collecting his belongings previous to returning to Shropshire. He was being giped at by his wife's friends and relations, and he entirely lost self-control. Unhappily, at the bottom of the box from which he was taking his effects was an old pin-fire revolver, and unfortunately it happened to be charged. This, in a moment of frenzy, he seized, and fired three times in the direction of his wife. The first shot struck the wall, and the second hit her upon the stays and did no harm, but the third went through her heart, and she fell down dead. Price walked into the street and put a bullet into his own head, but it lodged in the base of the skull and did not do him any serious injury. He was immediately arrested, brought before a magistrate in the morning, and was of course, committed for trial. Francis-Williams made a marvellous defence and endeavoured to get the

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crime reduced to manslaughter, but the Judge told the jury it was murder or nothing, and accordingly they found him guilty of murder, with a strong recommendation to mercy. When called upon to say why sentence of death should not be passed upon him, he replied "My lord, I am as willing to die now as I was that night." The Judge answered, "I believe every word you say," and then, without any further comment, passed the formal sentence of death. I worked very hard to get this young man reprieved. I prepared a petition which was signed by the officers and non-commissioned officers of his regiment, another was signed by the Lord Lieutenant, the High Sheriff, and most of the leading people in Cardiganshire, and a third was signed by the Welsh inhabitants of London. There being no gaol at Cardigan, Price was driven over to Carmarthen and the unfortunate man, from his cell, could hear the carpenters erecting the scaffold upon which he was to expiate his crime. On the evening before his execution I received a telegram at my chambers from the then Home Secretary, the late Lord Cross, saying that he had advised her Majesty to commute the sentence passed on Price to one of penal servitude for life. I have since heard that after serving about nineteen years of his sentence Price was released.

During the assizes at Carmarthen on one occasion Francis-Williams and I occupied the same sitting room in the Ivy Bush Hotel. Shortly before the



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assizes commenced a Welshman of the name of Evan Evans was arrested under the following circumstances. It seems that a London cheapjack had come down to Carmarthen and sold umbrellas at a low price, and extremely successfully. Having some £30 or £40 in his pocket he went to the Ivy Bush, The Boar's Head and elsewhere and became agreeably drunk. It was in the summer-time, and sauntering down the Asylum Road, he went to sleep under a haystack. There is an old saying that "Taffy was a Welshman, Taffy was a thief." This is a foul falsehood. Taffy is a most merciless liar, and that is the worst you can say about him, for as a rule you could hang gold watches on haystacks and Taffy would not touch them unless they belonged to him. Mr. Evan Evans was an exception to this rule, and seeing the cheap-jack in an almost comatose condition, he went, as the pickpockets say, "through his pockets" and extracted all his wealth. This he did in the presence of two or three people, who were called at the trial and gave evidence to this effect. He was arrested the same night, and brought before the magistrates in the morning, who very properly committed him for trial. Bowen-Rowlands, the leader of the Circuit, was instructed by the Crown to prosecute, and he came into our sitting room while we were having breakfast on the day that the trial was to take place.

"Francis," he said, "you are in that cheapjack case, aren't you?"

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"Yes," replied Francis-Williams.

"Look here, I have asked Tom Allen (Tom Allen was the clerk of Assize) to put it down first. I am most anxious to get off by the 11.30 train as I have had a three-line-whip asking me to vote to-night." Bowen-Rowlands at that time was Member for Cardiganshire, and he wished to record a vote on some measure that Mr. Gladstone had introduced.

"If you will let your man plead guilty—and of course there is no possible defence—I won't press the case at all, and naturally he will get a much lighter sentence."

"I cannot do that," said Francis-Williams, "I shall get my man off."

"Oh!" said Bowen-Rowlands. "Stop that chaff. You know it is impossible."

"It is not impossible," said Francis-Williams. "It is a certainty."

Bowen-Rowlands in vain attempted to move him and he left the room looking a little bit cross.

The case came on before Mr. Justice Mathew, and Bowen-Rowlands opened it very strongly against the prisoner, and he called evidence which conclusively proved his guilt.

Francis-Williams naturally called no evidence, but he addressed the Court somewhat in this fashion.

"May it please your lordship, and gentlemen of the jury. Gentlemen, I deeply regret that you have been called from your ordinary vocations to

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decide a dispute between a fellow townsman of yours and a London cheapjack. What is a London cheapjack? One who by his glib tongue charms the money out of your fellow townsmen's pockets, which should have gone into your own," and he went on in this way. Indeed, in this extremely difficult case it was the only plea that could have appealed to Taffy.

Mr. Justice Mathew summed up, and said: "This is one of the most remarkable defences I have ever listened to. We have heard a great deal about the fellow townsmen of the prisoner, but unless, gentlemen, you think that the fellow townsmen of the prisoner have come here to commit wilful and corrupt perjury there is no alternative but for you to convict him," and then saying in the usual phrase employed by Hawkins, "the verdict is yours and not mine," he left it to the jury. They very promptly found a verdict of not guilty.

My dear old friend Bowen-Rowlands' face as he left the court did not bear its usual benevolent aspect.

The Welsh jury are an acquitting one, and no one ever understood them better, or was more successful with them, than the famous counsel in the Taff Vale case.

Another story of an unexpected acquittal was told me by the late Sir Frank Lockwood against himself:

When on circuit he had been defending a prisoner

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and although he had done his best for him he thought that the case was hopeless, and he was immensely surprised when the man was acquitted.

On returning to London Frank Lockwood saw the man in question at the railway station, and said to him : " I strongly advise you to be careful for the future. I am sure that I could never get you off again." " I don't think you could," replied the man ; " the fact is, my brother-in-law was foreman of the jury, the last man on the front bench was my cousin, and a great pal of mine ; and a man at the back owed me £50."

I recollect on one occasion going to the Swansea Assizes that were presided over by Mr. Justice Stephen. A Welsh Druid was charged as offering up his son as a burnt sacrifice upon a mountain. The son in question, I must say, was dead at the time of the sacrifice. Francis-Williams was appearing either for the prosecution or for the Welsh Druid, I forget which. During the progress of the case Mr. Justice Stephen, in one of his fits of wrath, bellowed at him—and no Bull of Bashan could have done it better. Francis-Williams was never in his life put down by clamour, and he bellowed back at the Judge in tones twice as loud. The humour of the situation struck the Judge, and he said : " Mr. Francis-Williams, don't you think this inquiry could be conducted a little more quietly ! " " I should have thought so, my lord," answered the counsel, and after that all went on in the most amiable fashion.

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One of the most successful barristers on the South Wales Circuit was the late Arthur Lewis, son of the then Bishop of Llandaff. He told me one day an amusing story with regard to his father and a young Welsh curate whom he had just ordained.

The late Dr. Lewis was always in the habit of inviting to his palace any young man whom he had ordained. A certain Mr. John Jenkins, the son of a Welsh farmer, was invited under the circumstances. The bishop was a widower and Mr. Evans was entertained at tea by Miss Lewis, the bishop's daughter. Some time after the gong sounded for the people to dress for dinner, one of the footmen took the young clergyman up to his bedroom where he found hot water waiting for him. The poor young man imagined that he was expected to go to bed, and promptly proceeded to do so.

When dinner was announced the bishop being somewhat hungry decided not to wait for Mr. Jenkins. But after the soup and the fish had been served, he began to get uneasy, and sent a footman up to inquire if anything was the matter with his visitor. Mr. Jenkins shortly afterwards appeared in the dining room and was far from sorry at having the opportunity of assuaging his hunger.

The next morning at breakfast Miss Lewis took him under her wing and made him sit next to her. In response to her inquiry he decided to have some bacon and a boiled egg: the latter when he cut the shell turned out to be a putrid one.

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"I am so sorry," said Miss Lewis, "you mustn't touch that, it is bad."

The poor young man wishing to be polite replied :  
"Indeed I prefer it."

Needless to say he was supplied with a good egg.

Early in my legal career I became the counsel for the late Mrs. Georgina Weldon who, before that, had always conducted her own cases, which she certainly did in a truly marvellous way. I was counsel for her in two cases tried one morning before Lord Chief Justice Coleridge. The one was an action brought against Messrs. W. H. Smith and Son, and the other against Messrs. Routledge, the publishers. In the first case the defendants were represented by Sir Richard Webster, who was then Attorney-General—the law officers of the Crown were at that time allowed to take civil cases—and Mr. Blake Odgers, the famous author of the work on libel and slander. Messrs. Routledge were represented by my old friend the late Harry Winch. In both cases I was led by the leader of my circuit, Bowen-Rowlands. I came into the court shortly before either Bowen-Rowlands or Mrs. Weldon arrived. Sir Richard Webster crossed over to me and said, "You are in this case for Mrs. Weldon, aren't you, Philips?" I said "Yes." "Well," he said, "we are ready to settle it, and we will give her £100 and costs.



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How will that do?" I answered that it was impossible for me to say, as neither my client nor my leader were in Court at the moment. "Well, anyhow, you will recommend it?" he said. I said, "No, certainly not, I should strongly advise them not to take it." He did not appear to like my answer, and left me. Shortly afterwards, Winch came to me and said, "You have settled with Webster, haven't you? We will give you the same." I said, "My dear fellow, how can I settle with Webster? Mrs. Weldon is not here, neither is Bowen-Rowlands." "But," he said, "it will be all right, won't it?" I said, "Not if they take my advice." To cut it short, after my leader and Mrs. Weldon had come into Court I strongly advised her to take nothing less in each case than £250. This they gave her, and we were out of Court by a quarter-past eleven with judgment for £250 in each case, and Mrs. Weldon was congratulated for her leniency by the Lord Chief Justice, who was not in the habit of throwing away much praise upon the litigants whose cases were tried in his Court.

Another case in which I was counsel for Mrs. Weldon was against Charles Gounod, the celebrated composer. This, as were the other two I have mentioned, was for libel. My opponent was Alfred Lyttleton, afterwards Colonial Secretary during the Premiership of Mr. Balfour. After innumerable interlocutory applications in chambers, on one side or the other, on which occasions I was



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always opposed by Alfred Lyttleton, the latter decided not to defend the case further, and accordingly, as is the rule in those cases, we went down to the Sheriff's Court to get the damages assessed. On this occasion also I was led by Bowen-Rowlands. After the jury retired Bowen-Rowlands said to me: "Just write down what damages you think they will give, and I will do the same, and we will see who is nearest." I wrote down £2000 and he wrote down £1000. "Oh," he said, "£2000 is absurd. They will never give that. The Sheriff's jury, if they give £100, think that they have set up the plaintiff for life." "Well," I answered, "I think they will give at least £2000, and they certainly ought to after your speech. If ever I saw a man get hold of a jury it was you on that occasion." They shortly returned to Court and gave a verdict of £10,000, as far as I know the largest that had ever been given for libel up to that time. I am not quite positive about this, but I think I am right.

A few years afterwards, when I was in Paris, I met Gounod at the house of a mutual friend in the Champs Elysées, the Marquise d'Allegri, better known in England as Blanche Roosevelt, the successful authoress. I got on splendidly with Gounod, but, curiously enough, forgot to tell him that I had been counsel against him in England. But, after all, it was a most righteous verdict, for Mrs. Weldon protected him when he was a fugitive from Paris during the commune, lodged him and fed

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him, and through her ability enabled him to make terms with his publishers such as he had never dreamt of in his wildest moments.

At the time that Mrs. Weldon was engaged in that litigation, which turned out so successfully for herself and so disastrously for her opponents, she transacted her business in Red Lion Court, one of those quaint "No Thoroughfares" that run northward out of Fleet Street, between Shoe Lane on the east and Fetter Lane on the west. The old houses in it were once, many years ago, private residences, but are now let off in offices to advertising agents, lithographers, small publishers, book-binders, and other persons more or less directly connected with publishing and journalism. A little way up, on the left hand, large placards used to direct your attention to *Social Salvation* and its contents. The offices of *Social Salvation* were on the ground floor, and consisted of a couple of dingy panelled rooms without any pretence to comfort, and very like other small publishing offices, only rather more so. In the front room was a grille, behind which, when not engaged in serving writs and other processes at his own personal risk, used to sit Mrs. Weldon's confidential secretary, Mr. Harcourt. According to this gentleman's own very frank autobiography, he had seen considerable trouble, and the statement was more than corroborated by his anxious and woe-begone aspect. Mrs. Weldon herself used to transact business in the outer room amid a chaos of ink-

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bottles, stumps of pens, papers and memoranda, legal and otherwise, that somehow used to set one thinking of Mr. Dick and his famous memorial. The inner room was her sanctum and here she made tea and received her visitors. She was not at all the kind of person you would have expected to meet. She welcomed you pleasantly, put a few shrewd questions to you as to your business, and when she was satisfied would enter into conversation very freely. Her dress was plain, and with a certain picturesque primness about it, but was in perfect taste. As she talked she threw one knee over the other, and rested both her palms upon it as a man might have done. The attitude was masculine, but perfectly natural. Her hair was cut short. Her features, which were public property, were extremely vivacious, and her eyes strangely brilliant and piercing. It was no flattery to say that if a woman is never older than she looks, Mrs. Weldon must then have been still young. Her conversation was no incoherent recital of grievances. You were surprised to find that she was singularly exact and precise. Dates, figures, facts were ready with her for anything. She could tell you with the lucidity of a practised counsel what her case was, what she considered her due, and what she believed to be her chance of getting it. You saw at once that any attempt to draw her out or to make her commit herself to an extravagance or exaggeration would be promptly detected and as promptly resented.

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You might put to her the case against her as strongly as you pleased. You might tell her exactly the kind of things that were said of her. She would take it all with perfect good nature and absolute self-possession. She spoke with quaint tenderness of the past shortcomings of her "faithful Harcourt" and of her confidential legal adviser, the notorious Mr. Chaffers. Her tone was that of a mother regretting the juvenile indiscretions of a favourite scapegrace of a son. Through all she said there ran an undercurrent of humour, emphasized by the flash and sparkle of her eyes and by just enough gesticulation to impart life. She had rare gifts as a vocalist, and under any circumstances she would have made her mark had she decided to go on the stage. Next to her restless energy, what struck one most was her tenacity and determination. She was confident of success. The Press, she used to tell you, began by attacking her, or else ignoring her. It was now beginning to think that there might be something in what she had to say. At this time she was winning all her cases, and she used to tell one that she intended to win them—every one. Her law was so much at her fingers' ends that she could spare some of it to those whom she considered oppressed, and at the time of which I am speaking she was mothering an action for illegal imprisonment brought by a Mrs. Trower. Mrs Trower, who was constantly with her, was a widow, middle-aged,

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timid, and with less strength of will in her whole system than in the little finger of her protectress. Mrs. Weldon meant to see Mrs. Trower righted as a mere interlude in her other occupations. When she had finally won all her actions, she used to say she meant to go on with her great scheme for training children.

You could not help asking yourself the question why this lady had been considered insane, and you had to give up the attempt in despair. That she was strangely unlike most other women was evident at once. Her manner, no doubt, was feminine and tender. One could understand in a moment the power she claimed to exercise over children and animals. But with all this there was a strange masculine thread in her character. She behaved like a woman, but she thought and expressed herself as a man would, and could beyond all question make herself extremely disagreeable if she chose to do so. In speaking of those against whom she has had to pit herself, her tone was as trenchant as the pen of George Eliot, and she used it mercilessly. All this, coupled with such eccentricities as those already noticed, distinctly put Mrs. Weldon in a class of women who are a source of annoyance and distress to their commonplace kinsfolk. She somehow set you vaguely thinking of Joan of Arc, or, to come to modern times, of George Sand, of Rosa Bonheur, of Ida Pfeiffer and other women of more than usual masculine will. Beyond this, you found

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nothing in her except a perfect frankness with an almost American simplicity, and as you left with a promise to call again you felt considerable admiration for the bravery of the woman.

Anyone who liked, if he went in good faith, could find her any day in her little room up the narrow court off Fleet Street, hard at work with her books and papers and correspondence and legal processes, but always cheerful, always pleasant.

If a belief that she had a mission—to expose the real character of the Lunacy Laws on the one hand, and to educate children on the other—was a dilemma, then Mrs. Weldon was undoubtedly a victim to it; but to believe you have a mission, as it is termed, and to act upon that belief, is a thing too common among eminent men and women to be accepted in itself as a final proof of mental derangement. For my own part, the only delusion I detected in Mrs. Weldon, in the course of many long and very agreeable interviews, was the tendency to regard “the unfortunate nobleman languishing in Dartmoor” as the missing Roger Tichborne, and this, I may add, if it was a delusion at all, was one in which she did not stand alone. She shared it among others with Mr. Quartermaine East, who was a shrewd man of the world, an excellent judge of horse-flesh, and a most successful runner of big hotels.

Without saying anything definite, and while she



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was occupied in pouring out tea and dispensing wafer-like slices of bread and butter, Mrs. Weldon managed to impress you with the idea that her work was planned out, and that she saw her way to carry it through. If you complimented her upon her success as an advocate, she would laugh and tell you that barristers as a rule were very poor creatures, and that they took very little interest in the cases entrusted to them. Of the legal gentlemen whom she had outwitted, she spoke much as did Dr. Johnson of the lady who preached. "Sir," said the Doctor, "a woman preaching is like a dog walking on its hind legs. The thing is not well done. The wonder is that it should be done at all." Mrs. Weldon did not believe in paid advocates. She regarded them as shams, and, indeed, she had a very wholesome detestation for every form of imposition or pretence. She saw the world moving round and round like some vast piece of machinery, and she saw that in the course of its motion are worked numberless acts of infinite oppression and wrong. It was useless to tell her that the machinery as a whole worked admirably. You could not divert her from the particular case of injustice in which she was at the moment engaged. Her attitude was that of the old knight-errant who did not trouble himself very much about the abstract principles of law or justice, but rode out to discover individual cases of oppression and to decide them on his own authority and to redress them according



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to his own judgment. Mrs. Weldon practically became the recognized legal adviser of women who had been wronged and ill-treated. Her two rooms in Red Lion Court came to be known as a sort of legal dispensary, where more or less reliable advice was always to be obtained.

All this with her was a pure labour of love. It was a part of her mission and she gloried in it. Difficulties as to her status did not daunt her in the least. She was ready at any moment to appear in Court and to argue any question. I may add that throughout all her fighting she was perfectly fair and bore no malice whatever. Her revenge was sarcasm. She did not, for instance, indulge in any personal bitterness against the unfortunate lord who was at the head of the Lunacy Commission, but her caricature of his manner and bearing when confessing that he really knew nothing of the actual working of the Lunacy Laws, and was himself little more than an ornamental figure-head selected for his philanthropic recommendations, was a piece of retaliation extremely feminine in its minute power of personal annoyance. Meantime judges, counsel learned in the Law, solicitors, and medical men, might rest assured that it would be a very long time before they heard the last of Mrs. Weldon.

About the time I was engaged in some of Mrs. Weldon's cases I was briefed by Mr. Newbold, a young and very clever solicitor, to defend a wine merchant at Greenwich who was charged with

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having assaulted his wife. I was successful in getting the charge dismissed. Mr. Newbold was very pleased indeed with the result, which, he told me, he did not anticipate, and till the day of his death he always gave me his junior work.

As showing the beautiful uncertainty of the Law, I must refer to a case in which he was concerned. The case was called "Re Newbold," and was dealt with in all the Law Reports. Newbold had a difference of opinion with a client of his named Bailward, and ultimately a writ was issued by Newbold, and the case was at first dealt with before the Master in Chambers, Mr. Manley Smith. Manley Smith decided against Newbold. Newbold had attended this summons himself, and afterwards came to me for my advice. After he had explained the whole matter I said to him, "The Master is entirely wrong. Very fortunately we have got a sensible Judge in Chambers, and you must appeal to him. Set down your appeal at once." The Judge in Chambers was Mr. A. L. Smith, who afterwards became Master of the Rolls, and held that position at the time of his death. When I got into the judge's chambers on the appeal from the Master and explained the case to him he said, "If I did not know you, I should think you were trifling with me. The Master's decision was perfectly right, and I refuse to interfere with it." And he scared me out of his chambers like a boy scaring sparrows out of a cornfield. Newbold then said to me, "Do you advise

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me to go to the Divisional Court?" "I would do so myself," I said, "but I think you had better take a leader's advice." "Well," he said, "shall I go to Bowen-Rowlands? I know he is a friend of yours and I have often briefed him." "Most certainly," I answered; "you could not do better." We had a consultation, and Bowen-Rowlands entirely agreed with him, and in due course the case was reheard before the Divisional Court, and the Court in question, consisting of Mr. Justice Charles and Mr. Justice Stephen, confirmed the decision of the Master and the Judge. Newbold then begged me to tell him whether in my opinion we ought to go to the Court of Appeal. "Well," I said, "in my humble opinion the Judges and the Master have been utterly wrong. But we have three sensible men in the Court of Appeal—Esher, Bowen, and Fry. The first is a thorough man of the world and absolutely sensible withal, and the two others are great lawyers." In this view Bowen-Rowlands concurred, and we went to the Court of Appeal, to be again defeated, their Lordships being unanimous against Newbold. Newbold was much distressed at the result, and so were both of his counsel, and when he came to my chambers a few days after the last result and asked me whether he should go to the House of Lords, I told him that I was now very loath to advise myself, and that he had better get the opinion of Bowen-Rowlands. This course he adopted, and

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Bowen-Rowlands, in a consultation which I attended, said to him, "Mr. Philips and myself have evidently been wrong. I cannot understand the decision of these courts, but I can only assume that they have been right. You have spent a great deal of money, Mr. Newbold, upon this litigation, and I should advise you to let it drop." The next day he came to my chambers and said, "Now, do you advise me to adopt Mr. Rowlands' advice?" "Most certainly," I said. "He knows far more about these things than I do." "Well," he said, "if it was your case and you were able to do so, would you go to the House of Lords?" I said, "I should most certainly, but I strongly advise you not to do so after the advice you have received." In less than a week he came to me and said that his mother had found the money for him to go to the House of Lords and that he was determined to do so, and that he wished me to draw the necessary papers at once. I did so, and seeing Bowen-Rowlands shortly afterwards, and telling him what Newbold determined doing I was met by strong reproaches from him. He said he felt sure I had advised this unfortunate man to embark in further litigation which he felt sure could only be disastrous to him. Well, in due time we came to the House of Lords, and I recollect Lord Halsbury presiding. We had two Queen's counsel against us. One of them was the famous Mr. Cock, but the other I cannot at this moment remember. In the result the

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six Law Lords found in Newbold's favour, they upset the judgment of the Courts below, and he received his costs in a litigation which I need scarcely say was extremely expensive. In this case, as it will be seen, six Judges and a Master were upset in their decision, and that goes to prove, as I have said before, how uncertain is the Law.

I was once concerned in a criminal libel action which was commenced against the *St. Stephen's Review*. It was against the editor, Mr. William Allison, the proprietors of the journal in question, and Messrs. Judd, its printers. The case came on at Bow Street, and Mr. Vaughan, the magistrate, committed all the defendants for trial at the Central Criminal Court. Later, before Sir Thomas Chambers, the Recorder, another jury found the defendants guilty, but the Recorder refrained from passing sentence and allowed several points to be decided upon by the Court of Crown Cases Reserved, there being, of course, no Court of Criminal Appeal at that time. One of the points that I suggested to my leader to take was that Mr. William Allison had been prosecuted as the editor, and I said that I thought he ought to have been prosecuted as William Allison. The case came on in due course before the Court of Crown Cases Reserved and, the Court in question consisting of Lord Chief Justice Coleridge, Mr. Justice Manister, Mr. Justice Hawkins, Mr. Justice A. L. Smith, and Mr. Justice Day—by a majority of one the

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Court decided in our favour. The Lord Chief Justice, Mr. Justice Manisty and Mr. Justice Hawkins being in favour of the defendants, and Mr. Justice A. L. Smith and Mr. Justice Day dissenting. Accordingly the conviction was quashed. In the later editions of Mr. Blake-Odgers' famous work on libel and slander this decision is recorded.

I think that the wittiest book ever written by a legal luminary was one called "*Scintillæ Juris*" by Mr. Justice Darling, when he was a barrister on the Oxford Circuit. I understand that when he was raised to the Bench he stopped its circulation. Anyhow, for many years it has not been obtainable. I possessed a copy, but somebody borrowed it one day, and, needless to say, I have never seen it again.

This reminds me of a play I saw about forty years ago at the Royalty Theatre. It was a very stupid production and only ran for about a week, but it did have one touch of brilliancy about it. One of the characters said: "There are many kinds of friends. For instance, there are friends who borrow your books, which do not return; there are friends who borrow your wife, who does."

One more story before I bring my legal reminiscences to a close.

A Scotch judge, recently appointed, tells a story of a friend of his, a member of the Junior Bar, who came up from Edinburgh to take part in a case that had to be decided by the House of Lords. When

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he returned he was asked by his friends how he got on. "Did you make a speech, Alexander?" asked one of them.

"No, I didna make a speech, but I made a *remark*."

"Indeed, and what was that?"

"Well, ye see, my leader was away for a minute or two, so I got up and I said: "Oh, my Lords, Sir Francis will be back directly; he has just gone out to wash his hands."



## CHAPTER IX

A luncheon with the late Sir Robert Peel : He gives me timely advice : I give up active practice at the Bar and devote myself to literature and journalism : Sir William Hardman of the *Morning Post* : Edmund Yates : Work on the *St. James's Gazette* and *Saturday Review* : My first novel : "As in a Looking Glass" : Its flattering reception : Its dramatization : Mrs. Bernard-Beere plays the heroine : Pellegrini does a *Vanity Fair* cartoon of me : His method of work : Sidney Grundy helps me to dramatize my novel "The Dean and His Daughter" : A melodrama in collaboration with Leonard Merrick : Queen Victoria snubs Gladstone.

ABOUT this time I was lunching one day at the St. James's Club with the late Sir Robert Peel. During the meal he said to me, "Do you know, Philips, you are an infernal fool. If I didn't like you I wouldn't tell you so." "I am quite aware of it, Sir Robert," I replied. "Well," he said, "I have been an infernal fool too, and being able to admit it I thought I would tell you that you were in the same boat, You have time to alter your course of life, but, alas, it is too late in my case.

"Now I will tell you what I mean. You are attempting to do two things at the same time, and I understand that you get on very well with both of them. You are practising at the Bar, and you are

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engaged in literature. Now you cannot do both of these things at once, and if you take my advice, and wish to succeed in life, you will abandon one of them and stick to the other. I made exactly the same mistake. I had every chance in politics. My father was Prime Minister, and before I was thirty I was Chief Secretary for Ireland, and many people have told me, and indeed, without conceit, I believe it myself, that I would very likely have been Prime Minister in my turn. Gladstone was good enough to say of me on more than one occasion that I was the best speaker he had listened to during the many years he had been a Member of the House of Commons, but I took to racing, at which I should have been very successful if I could have devoted all my time and attention to it. This, of course, I could not do, in view of my duties in the House of Commons, so between the two stools I fell to the ground. I lost a great deal of money at racing, and I irretrievably jeopardized my political career. Take warning by my fearful example," he concluded, with a laugh, "and do not make a similar mistake."

"I think you are quite right, Sir Robert," I replied, "and I promise you to consider carefully all that you have said." This I did, with the result that I gave up active practice at the Bar, and occupied myself only in my other calling.

During the time I was practising at the Bar I was also engaged in journalistic pursuits. I was a leader writer on the *Morning Post* then under the

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editorship of Sir William Hardman. I had known Sir William from my childhood, he having been at Rugby with my brother-in-law, William Hawker, and, when they went to Cambridge, rowed in the first Trinity together. After the death of my parents I often stayed for my holidays with my sister and brother-in-law, and there, on more than one occasion, I met Sir William and Lady Hardman. Sir William, in addition to being Editor of the *Morning Post*, was Judge of the Surrey Sessions. He was the kindest man in the world in private life, but when he got on the Bench and had to deal with criminals, or supposed criminals, he seemed to "see red." On one occasion he sentenced a poor woman to twelve years' penal servitude for taking up a piece of dress stuff on a stall and debating in her mind whether she would steal it or not. I need hardly say that after an uproar in the Press the sentence was modified by the then Home Secretary and, indeed, reduced to a nominal one.

When Edmund Yates, the famous founder and editor of the *World* was sent for four months' imprisonment as a first-class misdemeanant for a libel on Lord Lonsdale, I received a letter from Sir William Hardman, who had been to see Edmund Yates at Holloway. He wrote :

MY DEAR FRANK,

I went this afternoon to see our friend Edmund Yates at Holloway. I fear that the terrible

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sentence he has received will break him up. Indeed, it is awful to contemplate.

This, of course, was a genuine letter, but coming from Hardman, whose name thoroughly coincided with his attitude in his judicial position, was, I think, very funny.

At this time I was also a leader writer when Mr. Frederick Greenwood edited the *St. James's Gazette*, and I wrote a great number of short stories, and several of the "Celebrities at Home" for Mr. Edmund Yates. Later on, I also became a leader writer for the *Saturday Review*, then under the editorship of my kind friend, Mr. Walter Herries Pollock.

Apropos of Edmund Yates' visit to Holloway, I wrote a sketch in the *St. James's Gazette*, which was an imaginary interview with him in that somewhat disagreeable hostel.

Two days later, I received the following letter from Mr. Yates :

Holloway Castle,  
Thursday.

DEAR PHILIPS,

I have just heard from our friend Greenwood, that you were the author of the imaginary interview with myself recently published in the *St. James's*. Thank you very much indeed. I am greatly obliged to you. It may amuse you to hear that

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most of my friends believe it to have been written by myself.

Yours sincerely,  
EDMUND YATES.

In 1886 I commenced to write a serial in a paper called *Life*. The serial in question was published under the name of "Le Journal d'une Mondaine." I usually wrote each weekly instalment on the night before publication at the printers' office in Sardinia Street, Lincoln's Inn Fields. When the serial had come to an end, I endeavoured to publish it in book form, and I first sent it to Messrs. Bentley, who were still publishing at that time, and on their refusing it to Messrs. Chatto and Windus, and thence to Hurst and Blackett, thence to Vizetelly, and thence to Samuel Tinsley, all of whom declined it, too. I was beginning to lose heart about the work, when my great friend, Edward Morton, the famous dramatic critic, and the author of that successful piece *San Toy*, produced by George Edwardes, advised me to take it to Ward and Downey. Edward Morton had been the editor of the paper during the time that the serial had been running. Ward did not want to publish it, but Edmund Downey, his partner, insisted on his doing so, and it is owing to that gentleman that it ever saw the light. I changed the French title, and called it, "As in a Looking Glass," and it made an immediate success. It was published in two volumes, and in less than three

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weeks was out of print. It was then done in a single volume at 6s., and nearly forty thousand copies were sold at that price. It then appeared in an edition de luxe admirably illustrated by George du Maurier. This was published at 31s. 6d. It was then done at 2s. and 1s., and at 6d. It was also published in nearly every country in Europe. Madame Adam produced it, first as a serial in *La Nouvelle Revue*, and afterwards in book form in the "Librarie de la Nouvelle Revue." It was published by Englehorn, of Stuttgart, in Germany, by Obleight of Rome, the proprietor of the *Popolo Romano*, for Italy, and it also saw the light in Spain and in Austria, and in other countries. It was the first of my works given to the English public abroad by Baron Tauchnitz, and here I must say that with the single exception of Miss Braddon, I believe I have more works in the Tauchnitz Edition of British Authors than any other author. Their number is forty-three. "As in a Looking Glass" is written in the first person, and is supposed to be the diary of a lady. At the time of its publication, my name being comparatively unknown, many people were under the impression that it had been written by a woman. Apropos of this, Edward Morton told me a rather amusing story. He was travelling down to Brighton one day, and some people in his carriage were talking about the book. One of the men said: "I know the lady who wrote this book; but she is most anxious that her identity should not be



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divulged, and therefore, of course, I cannot tell you who she is." Morton said: "I hope you will excuse me for joining for a moment in your conversation, but I could not help hearing what you said, and I thought I had better tell you that I have seen my friend Mr. Philips, the author, write at least four-fifths of the book in my presence, I being the assistant-editor of the paper in which it appeared as a serial, and Mr. Philips writing his weekly instalments in my room."

The book was afterwards adapted for the stage by my old friend, Mr. F. C. Grove, who with Mr. Herman Merivale was one of the talented authors of *Forget me not*, so admirably played by Miss Genevieve Ward. Mrs. Bernard-Beere played the part of the heroine.

The whole of the London Press gave her unadulterated praise. One of the leading journals said that "she showed a reserve of force and passion few could have suspected; never from first to last losing her grip of the character, or for that matter, of the audience either, and passing with ease from moments of quiet charm to scenes of pain and suffering intense enough to fill the house with a sense of pain. In brief, this was a triumph for the artist, whose success a crowded and brilliant house emphasized in every way possible. Again and again applause rang out when the curtain had descended upon the play."

The dramatic critic predicted that the play was



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likely to find great and prolonged favour. An excellent performance was that of Herbert Standing's Captain Jack Fortinbras, and Marius as the Russian Count was admirable. They both did excellent service and obtained cordial recognition. The other parts were adequately filled by Miss Eva Sothern, Mr. Bucklaw and Mr. A. M. Denison.

Following the production of *As in a Looking Glass* at the Opera Comique I received a letter from Mr. Gibson Bowles, the then proprietor of *Vanity Fair*, asking me if I would allow a caricature of myself to appear in his columns. I was naturally very pleased at the invitation, and was asked to call upon Mr. Pellegrini, who was commissioned to do the portrait in question.

I went to Mr. Pellegrini's house in Mortimer Street, and was very kindly received. He didn't take a pen or a pencil in his hand to make a sketch, but asked me if I had any objection to his "staring" at me. I replied, "Not the least." And he *did* stare—for nearly half an hour! Afterwards he said, "Will you come with me to Pagani's and have a cup of coffee which I have invented? Pagani's knew nothing about it until I taught them." I said I should be delighted. On the road to Pagani's, which was close by, he said: "I know you will excuse me. Do you mind walking a few yards in front of me? I want to get your back thoroughly." And, of course, I did as he wished.



F. C. PHILIPS

FROM THE "VANITY FAIR" CARTOON BY PELLEGRINI



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After we had finished our coffee, he said: "May I trouble you to come once more? Fix whatever day will suit you." The day was fixed, and I went to him again. On this occasion, also, he neither took pen nor pencil in his hand, but stared at me as before. The result of his careful inspection was the cartoon which appeared in *Vanity Fair*.

As far as I recollect, mine was the last but one he ever did. I believe the last was that of Sir Robert Finlay, ex-Attorney General.

Poor Pellegrini died very shortly afterwards. He was a great friend of the late King Edward, who, as Prince of Wales, proposed him for the Marlborough.

Shortly after this Sydney Grundy and I wrote a play for the St. James's Theatre. It was called *The Dean's Daughter* and was adapted from a novel of mine entitled "The Dean and His Daughter." It was admirably played by Rutland Barrington, who took the part of the Dean, Olga Nethersole, who played Miriam, the Dean's daughter, and Lewis Waller, who played Sabine, the hero of the play, and Allan Aynesworth who made a great success in the part of Lord Ashwell. It was wonderfully well received upon the first night, and the papers were very enthusiastic. But, somehow or other, it only had a short run. The St. James's Theatre was very unlucky at that time—almost as unlucky as it has been successful during the reign of Sir George Alexander.

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Not very long after this I wrote a melodrama with that gifted novelist and dramatist, Leonard Merrick. It was called *A Free Pardon*. It was accepted by the Messrs. Gatti, and was to have been produced at the Adelphi, and the contract was signed. However, the actor of the hero of the play, Mr. William Terriss—as Merrick and I found out afterwards—declined the part only because that darling of the ladies did not want to appear in one act in convict clothes. He and Leonard Boyne were the finest melodramatic actors I have ever seen, and I was terribly disappointed.

However, a *Free Pardon* was played at the Old Olympic and was as successful as any piece could be in the latter days of the existence of that house. This theatre had become unfashionable, and a long run was absolutely impossible.

Of the many other novels I wrote, those which proved the most successful were “Jack and three Jills,” “The Strange Adventures of Lucy Smith,” and “Mrs. Bouverie.”

I wrote three novels in collaboration with my friend C. J. Wills and four with Percy Fendall, all of which, I am glad to say, proved successes.

My old friend Lord Alfred Paget, one of the oldest servants of Queen Victoria—indeed he was her Equerry shortly after she came to the throne, the late Lord Hertford being the Equerry to the Prince Consort—(to the day of his death, when he was Clerk Marshal, he was always about the Court,

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and accompanied the late King, then Prince of Wales, on his visit to India)—once told me an interesting tale in reference to the Queen and Mr. Gladstone. Mr. Gladstone, in an audience with her Majesty, one day produced a list of people whom he wished to be made Peers. The Queen demurred, and said, "I cannot create as many as this, Mr. Gladstone." Whereupon, Mr. Gladstone, who, I am sorry to say, sometimes got in a temper, tore the list up. The Queen flushed slightly, but said nothing to Mr. Gladstone, who shortly afterwards quitted the Royal presence. Some short time afterwards Mr. Gladstone presented a new list much shorter than on the previous occasion. The Queen, without looking at it, tore it up. Then it was that Mr. Gladstone had occasion to flush. Her late Majesty was a very strong-minded woman, and would allow no nonsense from anybody. When Mr. Gladstone was at the most critical period of his fortunes, the question was often asked when he was to retire from public life. He himself had repeatedly avowed a positive determination to retire to the woods of Hawarden, and there to occupy himself for the remainder of his days in the dignified occupation of wood-felling. Every one heard this so often that they ceased to credit it. It was the old story of Cæsar upon the Lupercal. But time was greater and stronger than himself, and it is said that he began to think how far his career as a whole would command the respect and admiration

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of posterity. Nothing is well done that does not finish well, and everybody would have been sorry if a life so long, so laborious, and so brilliant as his own were to have ended in a temporary failure sufficient to eclipse its real merits. Happily this was not so.

As a young man he gave infinite promise. He covered himself with glory at Oxford. As Macaulay said, he was the "rising hope" of the Tories, who had then but very few highly educated men in their Party. He wrote a volume upon the "Relations between the Church and State," which was supposed to show an almost unfathomable depth of statesmanship. And, to do him justice, he never swerved from his original ecclesiastical standpoint. He opposed the Divorce Bill. He read the Lessons in Church, and I am perfectly certain that he read them very prettily. And he wrote a book about Homer, in which he endeavoured to show that the principal beliefs of the High Church Party were foreshadowed in the "Iliad." He also could translate English hymns into monkish Latin, which was certainly more than creditable. How he came to forsake his old friends it is difficult to state. I myself was but a boy when his convictions—if such a term can be applied to a panorama perpetually on the move—began to change. He was never exactly inconsistent, for his movement was always in the same direction, save in so far as it may have been tempered or restrained by his



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devout ecclesiastical sympathies. His great misfortune was an overbearing impetuosity. He was the victim of ideas. He would have made an admirable Crusader or a Grand Inquisitor. Judge Jefferies himself was not as honest as Gladstone, but he was certainly not less steadfast in purpose. A single idea once firmly grasped seemed altogether to upset the balance of a mind usually clear and impartial. Those who agreed with him were statesmen and patriots, and were to be rewarded accordingly. Those who differed from him he regarded as if a conscientious conviction was a culpable moral offence. He never forgave the man who had dared to question his judgment. No Pope could possibly claim a greater infallibility. When at the height of his career he convinced himself—Heaven knows how—that the only way to pacify Ireland was to disestablish the Irish Church. I believe him to have been conscientious in this, as the step must have grated sorely against his notorious ecclesiastical proclivities. Men who were wiser in this respect than himself; men who knew more of Ireland than himself, for, indeed, he knew nothing, warned him that he was about to make a mistake. He persisted, however, and carried his point. From that day to this Ireland has been in a perpetual state of disaffection and disorder, and a great portion of Gladstone's career was solely occupied in ineffectually endeavouring to stem the torrent which he himself had recklessly let loose.

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The truth is that he had no knowledge of human nature. Should a daily paper have agreed with him, and heaped upon him adjectives long enough for his favourite Homer, he was sufficiently foolish to accept that gross flattery as sincerity. When the same paper turned upon him and rent him, he was driven almost mad by contemplations of the depths of human perfidy, and if I may so, he roared in his anguish like the viper-bitten hero of Greek tragedy. There was much, indeed, that was Greek in his composition. Like Achilles, he was known to sulk in his tent, and let the Duke of Devonshire — then Lord Hartington — lead the Opposition in the House of Commons in his place. Like Ulysses, he had always “three courses open to him.” And I may add that he was an orator nearly as ornate as Pericles himself. If he had only had a sense of humour, which fate seems to have denied him; a wider knowledge of men and things; a little more diffidence in his judgments; and a disposition somewhat less imperious, he would have been a far greater man than he was. As it was, he did not seem to realize his own position. He was the chief of the Liberal Party it was true. But this was because the Liberal Party could not do without him. He imposed his will upon the Cabinet and mistook acquiescence for consent. Cabinet councils he reduced to a farce. The colleague who persisted in differing from him had no resource but to resign.

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He had written learnedly about our Constitution, and I give him the credit for believing what he once wrote. He virtually installed himself as Dictator, and yet he never understood why he alienated the sympathies of his Party. There was some truth in the charge made against him that he held that whatever might be done by his opponents was wicked. The same thing might be done by himself without contradiction.

He denounced the naval demonstration in the Dardanelles, but he reduced Alexandria to ruins. He thundered against the "unspeakable Turk," and prepared to turn him out of Europe, bag and baggage, and yet he was ready to accept his co-operation in Egypt, thereby pledging himself to an admission of his sovereign power. He was white hot with indignation when Indian troops were brought to the Mediterranean as a mere demonstration against Russia, and yet he actually employed Indian troops to fight in Egypt. If people had not believed him to be thoroughly honest they would have been tempted to hold him up as a political Vicar of Bray.

The greatest mistake of his life was surrendering the Transvaal to the Boers after poor George Colley—a brother officer of mine, from whom I received the greatest kindness when I joined the Army as an ensign, and who was senior captain in my regiment—had met his defeat at Majuba and lost his life. That action on his part undoubtedly occasioned the

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last Boer war when, not as Kipling said in his poem,

Twenty thousand horse and foot going to Table Bay,  
Each of them doing his country's work,

but two hundred and fifty thousand men, many of whom are there now, as I know to my sorrow. One of my greatest friends, Colonel Horace Stopford, of the Coldstream Guards, a young colonel—for he was only forty-four—was killed in his first engagement, as was Lord Winchester, a major in the regiment, whose memory I shall always respect, for he was exceedingly kind to my elder son when he joined that regiment as a lieutenant.

On the other hand, Gladstone had many merits. When most in the wrong he was often most sincere. He admitted that he would think three times before proceeding to abolish the House of Lords. He stated as much publicly; and the admission shows that he was not so impetuous as his worst enemies used to represent him. Had he been alive in the present day the power of the House of Lords would never have been taken from it by the Radical Party. His Budgets were admirable, which makes it a matter of regret that on one occasion he should have chosen so bad a Chancellor of the Exchequer as was Lord Sherbourne, better known as Mr. Robert Lowe. His Home legislation, where it did not touch burning questions, was very workmanlike. It was a pity that he should have been respected rather than loved

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and dreaded rather than admired. It was a great pity that he never yielded in the smallest degree to his colleagues, that he did not make fewer speeches and above all write fewer pamphlets, or, better still, none at all. Any one of the productions which he scattered broadcast would have infallibly ruined a lesser man than himself. For the rest, it was the hope of many people that the life in many respects so noble and so entirely unblemished might not through petulence and head-strong self-will end in ignominious failure. That hope was realized, and this great statesman's name will never perish.

## CHAPTER X

Paris : Some interesting people I have met there : Guy de Maupassant : Catulle Mendes : Alphonse Daudet : His "Thursday Evenings" : How Sardou hated him : Edmond de Goncourt : The Frenchman's view of foreign literature : Henry James : James Tissot : A distinguished Poet : Comte Robert de Montesquieu : Raynaldo Hahn : Mounet Sulley : Daudet's sons : His kindness to me : Rowland Strong : His part in the Dreyfus Case : How Bidel escaped from his wife.

I WAS always extremely fond of Paris, and for the last forty years have constantly been there. Indeed, at one time I was there so frequently that I thought it better to take a flat, which I did, at 15, Rue de Suresne, which I occupied for about eight years. Flats in Paris are much cheaper than those in London, and although the Rue de Suresne is most excellently situated, being close to the Madeleine and the Boulevards, and the Rue Royale and the Champs Elysées, I was able to get a charming apartment on the first floor over the entrésol for the modest rent of £80 a year. It certainly would have cost double this amount in London.

Needless to say, I have met many interesting people in Paris. There was Guy de Maupassant, introduced to me by the beautiful and fascinating



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authoress Blanche Roosevelt (Marquise d'Allegrì) in the charming apartment occupied by her husband and herself at 5, Rue Clément Marot in the Champs Élysées. Maupassant and I became staunch friends. No one could have been more grieved or surprised at his early death. He was a Breton of immensely strong physique. He always appeared in the best of health, and the news of his death was scarcely credited by his many friends.

I also saw a great deal of Catulle Mendès, one of the most brilliant writers of his time. His novels were said to have had a larger circulation than those of any of his contemporaries, with the exception of those of Alphonse Daudet and Zola. Through my friend Rowland Strong I made the acquaintance of Alphonse Daudet, and was a frequent visitor at his Thursday evening receptions at the Rue de Bellechasse, a street in the Quartier St. Germain, on the other side of the Seine. The charm of Daudet's Thursday evenings was their hospitable simplicity, the absence from them of that atmosphere of pretentiousness which is, and probably always was, the repellent side of most of the French "Salons Ou L'On Cause." It was to the dominating, yet exquisite character of Daudet himself that this was due. Against the unfailing gentleness, the witty urbanity, from which a suspicion of irrepressible bohemian fun was never wholly absent, all "side" and "pose" were helpless and disarmed the moment they came in contact with the master's personality.



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For the master he was, there was no denying that; though some amongst those who frequented his receptions would have liked to have denied it. But whatever they may have whispered behind his back, and in other company, as to his significance as an author, they were *petits garçons* whenever he sat among them. He let them talk, and talk they did, often very brilliantly, but the most irrepressible chatterer of them all (and when I say this I am thinking of a certain one-eyed man from the Midi, founder of a provençal literary society called the *Felibres*—a good fellow at the bottom, but as vain as a peacock) became instantly dumb the moment Daudet's warm, golden voice was heard relating some reminiscence or other, one of those profound and perfectly turned comments on life or literature which made his conversation so delightful. Daudet, I could never tell why, had a bitter enemy in Victorien Sardou, who never lost a chance of saying something nasty about him. On one occasion, after Daudet's application to join the *Académie Française* had been rejected, I heard a lady ask Sardou what he thought of it. "The *Académie Française*?" he said. "Before Daudet thinks of joining the *Académie Française* he had better learn the *grammaire Française*." This, I think all will admit, was a spiteful and uncalled-for remark.

To understand what Daudet's mastery meant, one must bear in mind that the minor gods at his Thursdays were the extreme upper crust of the Parisian

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Parnassus. There was first and foremost Edmond de Goncourt, the author of "La Fille Elisa." I doubt whether a vainer man than De Goncourt ever lived. His whole life was embittered by the feeling that his genius had not received the public recognition which he thought was merited. His appearance reminded me of Malvolio—tall, with great penetrating yellow-brown eyes, a head flat at the back, which is, I believe, phrenologically the sign of narrow-minded pride. He had a harsh gendarme-like cast of countenance, which bespoke little poetry or imagination. That he was a genius who invented a wonderful impressionist style of his own is not to be denied. He was a bureaucrat of literature, and though he founded a revolutionary academy in opposition to the French Academy, it was mainly with the idea of inducing new schools of writers to invest themselves with the same airs of infallibility and officialdom as the forty immortals of the elder institution. Edmond de Goncourt believed that the mantle of Balzac had fallen upon him. He was fond of quoting Balzac's reply to a young author who had used the expression to him "men of letters." "Hommes de lettres!" shouted Balzac, "you are but gens de lettres; we are the marshals of literature." De Goncourt ranked himself as one of these marshals. Now, even De Goncourt fell into the natural rôle of a satellite when at Daudet's receptions, and I never knew him miss one of them. Indeed, it was at Daudet's country-house at Champresay that he ultimately

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died. Daudet was the one great affection of De Goncourt's life, barring his dead brother Jules. He had always treated Jules in a paternal fashion, even to the extent of planning to shoot him when he fell hopelessly ill, and he liked to look upon Daudet, though not quite so ferociously, as a kind of younger brother, an illusion which Daudet fostered with the graceful tact and unfailing good-heartedness for which he was so remarkable; but the intellectual superiority, the more imposing mental attractiveness of the younger as compared with the elder man, were none the less marked and acknowledged.

Daudet's absolute lack of "side" made him the prompt friend of any sympathetic soul endowed with brains, with whom he came in contact and nationally was of no importance.

This is why Daudet's receptions were more cosmopolitan than any other literary circles in Paris. De Goncourt, on the other hand, had the instinctive jealousy which animates some French writers and artists against the foreigner in literary circles. Everything achieved outside France seems to them to be a kind of attack upon what they consider to be the supremacy of French art and letters, which the whole world ought to acknowledge and bow down to. Ignorant of any other language but their own, they look upon foreign literature as a kind of interference with the French monopoly—a breach of patent rights. The foreigner's only legitimate rôle is that of the eternal admirer, and

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purchaser of everything French and Parisian, to be flattered to the full to his face, and to be inwardly despised and cursed.

I remember being struck by an instance of this at one of Daudet's Thursdays, which showed the difference of character and mind between Daudet and De Goncourt. Daudet was deep in conversation with a grey-haired man, who spoke very slowly and in a low tone, but to whom the Master was listening with the keenest interest and most unusual deference. "Who is that?" said some one to De Goncourt, who was sitting in majestic state in the centre of a sofa. De Goncourt shrugged his shoulders contemptuously and replied: "Un Anglais quelconque" (some Englishman or other). The "some Englishman or other" was the American novelist, Henry James. And when Henry James had left, Alphonse Daudet let fall these words: "It is rarely that my old friend Henry James honours me with a visit. He is a man who does not talk much, but he tells me the profoundest and wisest things, based upon the closest observations of life, of anybody that I know."

An Englishman for whom Daudet always professed the greatest admiration was H. M. Stanley. Stanley's French was from Stratford-atte-Bowe, but even his flounderings delighted Daudet. "Even in his mistakes," I heard him say, "one is conscious of the audacity and resourcefulness of the great explorer. He talks French as if we were a new

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race of niggers, and our language a new dark continent that he is in process of discovering. He makes us understand him by sheer mastery of will. What he has to say is so overwhelmingly interesting that our admiration for what he says leaves us no room for laughter at the way in which he says it."

Daudet's laughter, however, was never ill-natured. It was always gilded by the warm rays of southern France, whence he came ; and this was all the more wonderful, inasmuch as he was in constant pain—pain of the most excruciating kind, caused by nervous rheumatism, and requiring repeated doses of chloral to be borne at all. The solemn absurdities of some of his friends seldom failed to rouse in him some slight trait of humour. This made him a few enemies, for there are always some people so ridiculously thin-skinned as to take permanent offence at the merest joke. One of these was the great artist James Tissot, whose illustrations to the New Testament are famous all the world over. I can hear Daudet now telling the story. Tissot, he related, was fond of adopting an "avuncular" position towards his friends—a little air of protection, as if he was everybody's uncle. Daudet determined to upset this. Tissot was very proud of being a Breton, speaking the Breton language and playing the Breton bagpipes. He had a deplorable habit of playing the bagpipes for hours at a time on the roof of his house (the neighbours would not have tolerated it

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anywhere else) and inviting any chance visitor up to the roof to listen to him, but without offering any other kind of hospitality. One day Daudet was forced out of politeness to listen to Tissot's performance on this dreary instrument on the roof for something over an hour, during which time he kept and maintained a correct silence and apparently showed deep attention. "How did you like that?" asked Tissot at last, when he had finished. "I liked it very much," answered Daudet gravely, "but I should have preferred it 'avec un peu de gomme.'" Gomme is the syrup with which at cafés certain sour drinks are sweetened. The whole expression was slangy, humorous and profoundly disrespectful. It also conveyed a mild reproach. Tissot's avuncular air gave place to one of extreme displeasure and he never spoke to Daudet again.

After Edmond de Goncourt, perhaps the most distinguished man of literature who visited, though rarely, Daudet's Thursdays was the poet De Herédia. He was a stoutish man with a straggling beard and a most undistinguished, not to say commercial, appearance, but there is no doubt that he wrote the most perfect sonnets. He was the last, and perhaps the greatest, of the school known as the Parnassian poets. He was absolutely perfect in form, diction, and rhythm, as far as perfection can be obtained by a rigorous respect for canons and the most laborious painstaking. It took him years to produce a single poem of fourteen lines, a fact which



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contrasted all the more strongly with his singular volubility. He talked literally "sixteen to the dozen," and when at Daudet's he never stopped talking until he went away. His reels of talk were about everything and nothing and devoid, so far as I could see, of any particular interest. His future son-in-law Henri de Regnier was frequently in his company. A tall, Anglicized looking young man with an eye-glass. Henri as a poet was as different from De Herédia as chalk from cheese, for he was one of the prophets of symbolism with a free rhyme—in short of the kinds of poetry in which all the classical canons are deliberately violated and from which rhyme, scansion, and even sense have been either obliterated or turned topsy-turvey. This, however, has not prevented Comte Henri de Regnier from becoming, as was his father-in-law, a member of the French Academy.

Comte Robert de Montesquieu, with whom Henri de Regnier had a sensational duel, was another frequenter of Daudet's Thursdays. He, too, was a poet of talent amounting almost to genius. One of the most typical French aristocrats in Paris; one of the most charming men I ever met, witty and genial, and not a little proud of being a lineal descendent of D'Artagan of Dumas' immortal novel "The Three Musketeers" was Comte Montesquieu, who first brought to the Thursdays the now famous Raynaldo Hahn, whose music, which he played himself, with admirable technique and feeling, delighted Daudet. "C'est



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de la morphine, c'est de la morphine," I heard him mutter in ecstasy as Raynaldo Hahn strung out the silver melody of one of his most soothing nocturnes. "C'est plutôt du Chopin!" muttered a little ill-naturedly, Paul Marieton of *Felibre* fame. "Tais-toi," growled Daudet with assumed anger, in which there was none the less a tinge of humour, "Ou je te jette mon bock à ta tete!" (Shut up or I'll chuck my beer mug at your head.) Needless to say he was not drinking beer from a bock. *This*, with that beautiful indulgence which made him so lovable, and in a lower tone, "One should never discourage a young artist." I think it was that evening when Hahn had done playing that Mounet Sulley the great tragedian for whom Daudet had an almost fraternal affection—they were both from the same part of the Midi—came in after the theatre and recited some of Theophile Gautier's "Emaux et Camees." This was a great treat, and to my mind gave a better impression of Mounet Sulley's marvellous powers as an elocutionist than his somewhat tragic effects on the stage. What a group it was! Daudet listening to Mounet Sulley reading from Gautier's collection of gems; for though the "divine Théo" had long been dead, he was there in the spirit, in Mounet Sulley's marvellous evocation and both Daudet and Sulley had been his intimate friends, all three being from the Sunny South, and all three supreme figures in the great romantic period of French art which dominated the middle and latter

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part of the last century. And among the listeners was young Bergerat, an actor of promise, Théophile Gautier's grandson. Victor Hugo's grandson, Georges Victor Hugo, whose sister Jeanne had married Daudet's eldest son, Léon, was also present, while upstairs in his little nursery cot was peacefully sleeping Victor Hugo's great-grandson, who was also Alphonse Daudet's grandson, little Charles Daudet, now, I suppose, a young man "doing" his military service.

Daudet was singularly fortunate in his family. He had two sons, Léon and Lucien, and a daughter Edmée, who at that time was a pretty little girl of thirteen, elfish like, and with brilliant black eyes, in which there was some of Daudet's character. Léon who was courtesy and good-nature itself had developed a premature obesity, which was in strange contrast to his father's extreme frailness. He was already, at that time, a novelist of world-wide celebrity and is now a very prominent figure in French militant politics. Daudet himself was not much of a politician. I remember asking him once what his politics were. "Ask Léon," he replied, with a smile, "he knows better than I do." "My father's politics," said Léon gravely, "are a little difficult to define. All we have been able to discover is that they take the form of occasional fits of rage." The other brother, Lucien, was a singularly handsome youth, of dark skin. He had at that time just become a student of the Paris School of

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Fine Art. He had been encouraged to become a painter by Albert Besnard, who was very frequently at the "Thursdays." To the many people who complimented him on his colouring, for which he is now so famous, he would say "too violent, too violent, my dear chap. It must be allowed to set. In two years hence it will tell a different story, and you too." Lucien has since, I believe, taken to writing, but with what success I cannot say.

Among the many other distinguished persons at Daudet's Thursdays were Georges Rodenbach, a Belgian, author of "Bruges-la-Morte"; F. Masson, the historian of Napoleon's family life, of which he knew every detail down to the smallest washing bill, and many whose names would be familiar enough to French ears, but would suggest nothing to the English reader. But in the midst of them all, eminent as many of them were, the face that most suggested genius, that inspired you with a feeling that you were in the presence of a great Master, whose fame would surely endure, was Daudet's own.

I had one curious experience with regard to Daudet. There was scarcely an occasion on which I paid him a Thursday visit to the Rue de Bellechasse that Daudet, who knew that I had read all his works, did not ask me which one of them I preferred. I always gave him the same answer: "Froment Jeune et Risler Aîné." "Mais non, mais non," he would always answer. "It is not to be compared with 'Le Nabab' or 'Les Rois en Exil.'"

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What do you think of them?" "Of course they are very good," I used to answer, "but I must stick to my old love, 'Froment Jeune et Risler Ainé.'" "Well, you are quite wrong," he used to say. "However, very possibly there are worse books than that." He must, of course, have forgotten that he had already asked me the same question; for, as far as I can remember, he repeated it upon every occasion.

Alphonse Daudet was extremely kind to me, and greatly encouraged me in my literary career. He had read one of my works which was published in French by the famous Madame Adam, the proprietress of the *Librairie de la Nouvelle Revue*, and was kind enough to express himself delighted with it.

Perhaps Daudet's greatest favourite of all those who came to his delightful receptions was my friend Rowland Strong. Daudet had the highest opinion of his ability, and told me so more than once, and what is more, he had a deep affection for him which was shared by his son Léon. Rowland Strong is a member of a very gifted family. His eldest brother is the Dean of Christchurch and the present Vice-Chancellor of Oxford. His second brother, the late Arthur Strong, was a great son of Cambridge University, and having been librarian at Chatsworth to the late Duke of Devonshire, was at the time of his death librarian to the House of Lords. A bust of him has been placed in a prominent position in the House.

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Rowland Strong was educated at a German university, and before he was twenty-one he was the Berlin correspondent of the *Times*. He afterwards represented the *Morning Post* and the *Observer* in Paris, and subsequently the *Pall Mall Gazette* and the *Observer* in that capital. It was at this period that he discovered the truth of the Dreyfus case, and he was able to give the whole facts to the *Observer* with, I need hardly say, immense advantage to that journal.

The part that Rowland Strong played in the Dreyfus case is very shortly this. Major Esterhazy, accused by Captain Dreyfus' friends as being the real author of the bordereau—the document on the strength of which Dreyfus had been condemned as a spy—confessed to Strong that he was indeed its author. He said that he had written it on the order of his superior officers, when he was attached to the Intelligence Department of the French War Office, to supply the court-martial that was judging Dreyfus with material proof sufficient to secure the prisoner's condemnation in the absence of all but moral proof. He pretended that the Court had all the moral proofs it needed but required a document in order to make the condemnation legal. The "bordereau" was a list of the military secrets supposed to have been sold to Germany by Dreyfus, and had been discovered torn into small pieces in the waste-paper basket of the German Military Attaché in Paris. It was in a handwriting which

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resembled that of Dreyfus, but also that of Esterhazy. Strong arranged with Esterhazy that this confession should be published in London. Esterhazy came over to London, but went back on his promise and refused to sign the confession, wishing to defer it until Dreyfus had been condemned a second time (supposing that his friends succeeded in securing him a second trial, or even to suppress it altogether). Strong refused his consent to this, and published in the *Observer* the full details and the circumstances in which Esterhazy had confessed to him that he was the author of the "bordereau." The article containing this revelation was telegraphed during the day to the *Temps*—the most important Paris paper — by its London correspondent, and it appeared the same evening in the *Temps* and the following day, before noon, the Council of Ministers of France ordered a revision of the Dreyfus case before the Court of Cassation (the supreme court of France) and the immediate liberation of Dreyfus from the celebrated Devil's Island where he had been transported, and his reshipment to France. On the appearance of the first article in the *Observer* Esterhazy issued a denial that he had made a confession, but subsequently withdrew this, and signed a statement before the French Consul in England that he was really the author of the "bordereau" and fully confirmed Strong's articles in the *Observer*. Strong was subpoenaed by the French Government to give evidence before the



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Court of Cassation. This examination lasted three days, and the Court decided that Dreyfus should be sent for re-trial before a second court-martial. This court-martial was held at Rennes, and Strong repeated the evidence that he had given before the Court of Cassation in Paris. Dreyfus was condemned a second time by the majority of the Court, but this verdict was so obviously against the weight of evidence that the President of the Republic pardoned him the very next day, and subsequently the Court of Cassation reversed the decision of the second court-martial.

Dreyfus was rehabilitated in the most formal way, reinstated in the Army, and given a rise in rank and a step higher in the National Order of the Legion of Honour.

I knew Bidel, the famous French *dompteur*, very well. During the French Exhibition of 1889 he told me a very funny story with regard to himself.

He had his menagerie at Passy, where he did uncommonly well. After a very successful day he was induced by a friend to go with him to Paris. There they must have had a tempestuous night, for he did not arrive home until seven in the morning. On his return he was confronted by Madame Bidel, who always scared him out of his skin, although wild beasts had no terror for him.

On seeing her approach, he rushed into the tigers' cage to escape her. "Coward!" she cried out, as she shook her fist at the bars.



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I gave this story to Phil May, and he illustrated it in *Punch*. Unfortunately, however, he made the beasts lions, which was rather a pity, as they are not so fierce as their cousins.

My niece, Alice, Countess Amherst, used to tell an amusing story against herself. She was formerly married to Lord Lisburne, a man much older than she was. When in Paris they nearly always went to the same restaurant, where they received special attention from the head waiter. One day they came to lunch, and Lisburne happening to go out of the room, the waiter approached Lady Lisburne and said, "I see that Mademoiselle is still with the same old gentleman. Let me felicitate her." She herself told the story to her guests at a dinner party they gave that evening. Needless to say every one enjoyed it.

## CHAPTER XI

M. Chedomile Miyatovitch : Servian Minister at the Court of St. James's : A citizen of the world : His genius for finance : His amusing story of an interview with Sultan Abdul Hamid : His devotion to English literature : I engage in a diplomatic mission : A story of King Milan of Servia : "Dear Miyatovich was always such a romancer" : Phil May : An amusing anecdote regarding him : My marriages :  
In the evening of my days.

WHEN I first knew M. Chedomile Miyatovich, the Servian Plenipotentiary and Envoy to the Court of St. James's, he was a man about forty, and looked younger than he was. He was some five feet eight inches in height, strong and compactly built, and with quick, resolute, fearless eyes, dark hair and a peculiar ease of manner which set one vaguely thinking of "Ulysses," and of the old legends of the Levant. You were somehow aware at once that, like "Ulysses" he had seen the cities and knew the ways of many men. There was not much personal resemblance between him and Burton, and still less between him and Frederick Burnaby. But he was of the same type, a man who thought clearly, acted promptly, and gave you an irresistible combination of stolid purpose and concentrated energy. Such

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men come to the front when new kingdoms are forming and old empires crumbling. Personally, unless you knew to whom you were speaking, you might be puzzled, for his English accent was almost faultless. But an Englishman would not be alone in this, for in Eastern Europe men speak many languages, Turkish, Greek, French, Italian, the Slavonic dialects, English, that extraordinary tongue the *Lingua Franca*—and sometimes even dialects more rare, which have no literature. M. Miyatovich was in this respect a citizen of the world such as you might meet in Venice, or Trieste, or Pesth, or on the Boulevard des Italiens.

It has somewhere—indeed, in more places than one—been said that all men of ability have an innate taste for this or that particular branch of exact science, which, after all, only means for exact and accurate thought. M. Miyatovich had, and indeed has, a genius for finance, a branch of human intellect requiring abilities fully as high as those demanded by strategy or diplomacy itself; and it was as a financier that he first made his reputation. His record has been a splendid one. He was three times Minister for Finance in Servia, three times Minister for Foreign Affairs there, three times Minister to the Court of St. James's, Minister to Constantinople and Minister to Bucharest, and he represented his country at the peace conference at The Hague Convention.

He told me an amusing story of an experience



Chado Miyatovich



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he had when Minister at Constantinople ; Turkey at that time being ruled by the ex-Sultan Abdul Hamid. M. Miyatovich was very anxious to obtain an appointment for an Armenian bishop, the appointment in question being in the gift of the Sultan. He approached the Grand Vizier, but that worthy, not wanting the appointment to go in the direction that M. Miyatovich indicated, from time to time put him off. He then asked an audience of the Sultan, which, of course, was granted to him. The wily old Sultan having been put up by the Grand Vizier to what M. Miyatovich was going to ask, and having been begged not to accede to his request, dealt with the matter in the manner that the ex-Sultan was accustomed to deal with awkward affairs. On M. Miyatovich being admitted to his presence, his Excellency commenced to deal with his mission.

“Wait a moment,” said the Sultan, “before you go any further I want you to tell me, you who have been in England so long, what you think of the English women.”

“Oh, they are very charming, your Majesty, but I was about to ask you——”

“No, wait a minute,” said the Sultan. “I recollect when my brother Murad and I went over to England with the Sultan Abdul Aziz to see the Review at Portsmouth, how immensely we were struck with the beauty of the English women. Now, what is your candid opinion?”

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"I have said already, your Majesty, that I very much admire the English ladies."

"And you are very wise in your judgment," said the Sultan. "Oh! dear me," he continued. "I forgot that I have an appointment with the French Ambassador, and so, with a thousand regrets, I must send you away. Come and see me again whenever you care to do so."

And in this fashion the skilful old man avoided discussing a question into which his Grand Vizier had begged him not to enter.

It was as Minister of Finance that M. Miyatovich concluded the convention for the construction of a Servian railway from Belgrade to Nisch, with branches connecting it directly with Constantinople, and Salonica, and he also came to an understanding with the Austro-Hungarian Cabinet for the establishment of a railway bridge over the Danube, which opened up to Servia the grand market of Vienna, and with it the whole of Europe. These great schemes at one time trembled in the balance. The Union Générale of Paris, which was to have financed them, collapsed. The Rothschilds would not entertain them for a moment; so M. Miyatovich betook himself to the Comptoir d'Escompte, through whose agency the Servian lines were actually constructed, while at the same time enormous financial loss was averted. Operations of this kind, and upon this scale, are not every-day work even for minds of the highest power, and wills of the utmost intensity.



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M. Miyatovich also negotiated and signed on behalf of his country five commercial treaties with various European nations.

The reputation of M. Miyatovich has all along been established, but it has long since grown into fame, for, before he was forty, he found himself Minister for Foreign Affairs as well as for Finance. The offer of the presidency of the Cabinet he several times refused. He became, since the retirement of M. Ristich, the most gifted political personage in Servia as well as its most distinguished orator. Like many other educated foreigners—superior to little prejudices—and capable of discerning strength of character under insularity of manners—M. Miyatovich has always been an ardent admirer of England and of English ways. His leisure time is now devoted with restless energy to English literature, and he is constantly to be found at the British Museum. The result of these labours is a ceaseless attempt to familiarize his countrymen with English modes of thought, which he has always studied with a closeness worthy of Taine himself. Two of our preachers whom he has most admired, Canon Liddon and Mr. Spurgeon, attracted his especial attention, and Servians have been able to read the well-weighed essays of these two great preachers in their own tongue. Nor is this strange, when we think how ever since the Reformation the pulpit of England has every now and again shown itself a more powerful weapon than

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even the Press. Nowhere is English character more strongly reflected than in the writings of our great English theologians, and this apart altogether from their particular shades of opinion, so that we can rank together as factors of English character men otherwise as distinct as John Wesley and Samuel Wilberforce, Whitfield and Pusey, Irving and Stanley.

Nor is this all. For M. Miyatovich is himself a writer as well as a diplomatist, and no one has done more to make clear to us the true position of Servia, menaced as she was and is now not only by Bulgaria, but also by her former patron Austria. M. Miyatovich is, indeed, a frequent contributor to English contemporary literature, and those who know him can at once recognize a hand as distinctive as that of Junius and—for a foreigner—almost as trenchant. This is no exaggerated praise, for M. Miyatovich has all those requisites of an author—definiteness of purpose, clearness of thought, and simplicity of style. I have been told that Gibbon used to read each chapter of his history as he completed it to his cook. The perfection of style and treatment is that which arrests the attention of an educated woman; only she must be a woman with a will and judgment of her own. When Molière read his plays to his housekeeper, it was that he might keep himself down to the level of his audience. In the late Madame Miyatovich, a lady partly of English and partly of American

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extraction, the Minister found the best critic he could desire. Indeed, that accomplished lady was herself a well-known contributor to English literature. Her "History of Modern Serbia" and "Serbian Folk-lore" were as widely read as her last work "Kossovo," comprising translations of old Servian songs and ballads which are almost "Percy Relics" of Servian tradition.

Shortly after the Servo-Bulgarian War, Servia was under the influence of Austria, and, indeed, had been so for a very considerable time. M. Miyatovich was most anxious to transfer that influence to Russia, and he was discussing the matter with me one day. "Why don't you go down to the Russian Embassy and see De Stael?" I asked. But for some reason or other the Minister did not want to take that course. "Well," I said, "I have got a very great friend there who is second in command, Count Adleburgh, and if you like I do not mind going to see him and throwing a fly over him." M. Miyatovich professed himself delighted with the proposition, and accordingly, the next day, I called at the Embassy. Count Adleburgh, as usual, gave me a very cordial greeting, and invited me to lunch. When I told him that I had come to see him upon important diplomatic business he burst out laughing, and thought I was having a joke with him. But when I told him what the nature of the business was, he became very serious, though I could see how immensely pleased he was. The Ambassador, M.

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de Stael, was at St. Petersburg at the time, but he returned to London by special train to confer with the Servian Minister, and matters were eventually arranged much to the satisfaction of King Milan and Queen Nathalie on the one side and the Russian Government on the other. I received from King Milan one of the highest decorations which he could bestow.

M. Miyatovich is also a student of Servian History and Philology.

The original quarters of the Servian Minister were at Claridge's Hotel, but Madame Miyatovich used to hold her receptions in Gloucester Place. The first thing that struck one was the profusion of books—not splendidly bound volumes of the Continental type, but books of reference and use telling their own tale of hard work. Nor could one fail to notice the portraits of the King and Queen of Servia, a gift from her Majesty to her personal friend, the Minister's wife. The uniform of King Milan closely resembled that of an English Colonel of Hussars, and apart from the sartorial point of view, the picture looked like that of a resolute kind of man, inclined to follow his own counsels rather than those of others. This we know that he did, with a result very disastrous to himself and his house. The Queen of Servia, as the painter showed her to us, was a queen worthy to share a throne which had been won by the sword, and evidently had to be kept by the sword. But

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the grace and charm of the features were their own. Nor had the painter been a courtier, as one could see from a glance at one of Queen Nathalie's published photographs. In his selection of his representative at the Court of St. James's, the King of Servia had at all events shown tact and judgment, and if King Milan could have passed unscathed through his troubles, no one would have contributed more to that happy result than M. Chedomile Miyatovich.

M. Miyatovich told me a rather interesting story of an experience he had on one of the occasions when he was Minister of Finance. A great competition was going on at the time between various groups of financiers with regard to the construction of a Servian railway. The representative of the French group called on the Minister one day, and pointed out to him how much better the business could be carried out by him and his friends than if any other people secured the contract, and in order to make, as he supposed, assurance doubly sure, he handed M. Miyatovich a cheque for a million francs—£40,000—but he reckoned without his host, for M. Miyatovich immediately returned it to him, and shortly afterwards he took his departure. The Minister of Finance told this story to King Milan, who in turn related it to the then Premier. The Premier said to the King, "Oh, you must take that with a grain of salt. I for my part do not believe the story. Dear Miyatovich was always

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such a romancer." These remarks the King repeated to Miyatovich, who was considerably annoyed at the time that his word should be doubted. Two or three days afterwards the same French representative again called upon the Minister and said to him, "I made a great mistake the other day, for which I must apologize. I ought not to have handed you a cheque for a sum like a million francs. I have corrected my error and brought another." This time the cheque was for two million francs—£80,000.

"Would you allow me to consider this for a day or so?"

"Certainly, your Excellency, with pleasure."

Miyatovich that day took the cheque for two million francs and showed it to King Milan. "This is what I have been offered to-day," he said. "Double what I was offered before. I intend returning it to-morrow morning, but I thought I would keep it for a few hours in order that I might show it to your Majesty, and I hope, Sir, that you will tell the Premier what you have seen for yourself." The cheque was handed back to the French representative on the following day, and I may add that his firm did not get the coveted contract.

Many amusing anecdotes have been related about the late Phil May, but I will tell one which I do not think is generally known. I knew this dear fellow very intimately. Indeed, it was I who secured him



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his first important engagement, which was on the *St. Stephen's Review*.

At the time of which I am speaking, Phil and I were both working on the late Mr. Reichardt's papers *Pick me Up* and *St. Paul's*. Phil had twenty-five guineas to receive from Reichardt on the Thursday morning, but he went to him on a Wednesday and asked if he would not mind letting him have a cheque on that day, as it would be convenient to him. Reichardt agreed, and Phil departed with the money. And then the usual thing happened. By twelve o'clock that evening the famous artist had given away or spent the whole of the money. This was very awkward, as Mrs. May had been promised the money in question for her household expenses.

In the morning, Phil announced his intention of going to Chancery Lane and getting the money from Reichardt. As will be readily understood by anybody who ever had the pleasure of Phil's acquaintance, he was much perturbed at what had occurred, and was very anxious that his wife should know nothing about the matter. "No, my dear," she said, "you are not looking well this morning. I will jump into a bus and see Reichardt and bring the money back with me; you stop in bed." Phil was unable to shake her resolution, and off went Mrs. May to seek an omnibus. No sooner had the door of the Kensington studio closed than Phil sprang out of bed, did not stop to dress properly, but, putting on trousers, boots, and a great coat—the



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collar of which he tucked up—he rushed into the street, and hailing a hansom told the cabman to drive as fast as he could to Chancery Lane, and promised him half a sovereign if he would convey him rapidly thither. In a few moments the hansom had overtaken Mrs. May's omnibus, and very quickly indeed Phil found himself in the presence of Reichardt. He explained his position to that gentleman, who good naturedly agreed to give Mrs. May the money which would have been due to Phil if he had not taken it on the previous day, May of course promising to work it out. Having borrowed enough money from Reichardt to satisfy his cabman when he returned to Kensington, Phil made his way there by a devious route. Arrived at home, he jumped into bed and awaited Mrs. May's return. "Well, you are back again, Lil," said Phil. "I suppose you have got the money all right." "Oh, yes," said she, "Mr. Reichardt is such a punctual man; I wish every one was the same."

So the episode ended. I can vouch for its accuracy, for I was told the story by Phil himself, and also by Reichardt.

I was first married to Maria, daughter of the late Charles Jones of Llanelly, and by her I had a son who became a lieutenant in the Coldstream Guards. He served during the Boer War and towards its close was appointed by Lord Kitchener press censor and interpreter to the Boer Camp in the

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Punjaub. After being married for eighteen months I became a widower, and seven years after I married Eva Maude Mary, youngest daughter of the late William Trevelyan Kevill-Davies of Croft Castle and Wigmore Hall, Herefordshire. By her I had a son and two daughters. My younger son is becoming a successful novelist and writer of short stories, and is also a very promising light comedian. My second wife died thirteen years ago.

In the evening of my days I live in the Temple with my pretty white bulldog "M.W.," and find great relief from the stress of life by being in such a quiet quarter. When in my chambers I feel as if I were in the wilds of Cumberland. Not a sound is to be heard. And yet, in a minute's time I may find the whirl of Fleet Street and the buzz of the Strand. I do not think that there is any place in London that quite corresponds to the Temple. In my judgment, a man who lives there, and cannot be happy and contented, does not deserve to be happy and contented at all.



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